

TOWN OF LIBERTY

239 S. Fayetteville Street | PO Box 1006 | Liberty, NC 27298
Office (336) 622-4276 | Fax (336) 622-2665
www.Liberty-NC.com

AGENDA

Town Council Work Session

April 15, 2024 5:30 P. M.

- 1. Call to Order**
- 2. Adoption of Agenda**

- 3. Information**
 - 3.1 Monthly Reports
- 4. Audit Presentation FY 2022/2023 - Austin Eubanks with Thompson, Price, Scott, Adams & Co., P.A. - Zoom**
- 5. Budget Appropriation Requests**
 - 5.1 Randolph EDC
 - 5.2 Randolph Senior Adults
 - 5.3 Liberty Chamber of Commerce
- 6. Old Business**

- 7. New Business**
 - 7.1 Backflow program
 - 7.2 Public Hearing McNeill Capital Rezoning Request 3477 Hinshaw Country Road From R40 to RMF (Residential Multi Family) Monday April 22, 2024 5:30 PM
 - 7.3 Public Hearing Hall/Cox Legislative Review Request Industrial to R6 E Lowe Avenue Monday April 22, 2024 5:30 PM
 - 7.4 Duke Easement Request
 - 7.5 Budget Amendment #22 - Streets
 - 7.6 Budget Amendment # 23 - Library
 - 7.7 ABC Board Update - Douglas Hardin
 - 7.8 ABC Board Appointment - Chair
 - 7.9 Proclamation National Day of Prayer

- 8. Manager's Report**
- 9. Committee Reports**
- 10. Citizen Comments**
- 11. Council Comment**
- 12. Mayor Comments**
- 13. Adjourn**

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024
Item:	Monthly Reports

Attachment:	Yes
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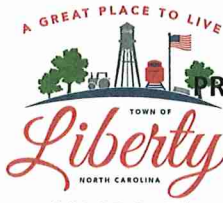
Brief Description:

Each Department's Monthly Reports are included for review.

Staff Recommendation:

Review and discuss if needed.

PUBLIC WORKS MONTHLY REPORT



PREPARED BY PUBLIC SERVICE DIRECTOR – JOSEPH WALSH 4/02/2024

LIMBS- The town has started charging per fee schedule on multiple scoops and or whole truck loads.

LANDFILL- Landfill is down to 1.5 tons per week. The town has also started not picking up household trash and debris other than true bulky items per ordinance.

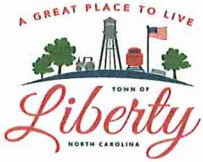
MOWING- Mowing is in full swing and will be edging and working on town sidewalks(overgrowth/crack repair/safety hazards). This will provide us with a better understanding of conditions throughout the town.

WATER- The town hopes to apply for a grant regarding the lead and copper with a cap of \$2,000,000.00 of dig and replace and inventory. Town has multiple water taps due to the influx of new construction. Congrats to Levi Powers on passing his backflow cross connection tester license. This can be used to perform testing and repair on backflows per the new backflow program.

SEWER-

Multiple work orders for sewer backups. Removed 2 large trees that were on the towns outfall lines. Repair has begun on the manhole located on the outfall line behind Hardin ct. WWTP had its annual inspection, only major finding was a staff gauge that has not been readable and will have 30 days to address.

Public works has helped P&R with bed edging at freedom park around the upper shelter and dog park, as well as reseed and straw the dog park and soccer fields.



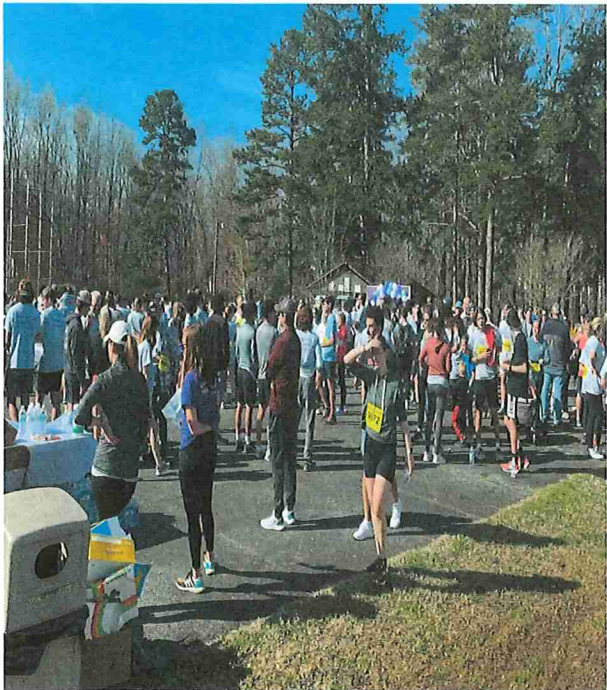
Liberty Parks and Recreation March 2024 Monthly Report

- Our baseball season has started. Teams are still practicing, but the first game is scheduled to start on April 9th. We added fertilizer to the smaller baseball field, as that is the field we will be using for the games.
- As you know, we hosted the annual “Run with Lily” event on March 16th. (Approximately) \$25,455 dollars was raised and donated to Oaks Therapeutic Community.
- We seeded the dog park, and older brick concession stand. We also started on seeding the soccer fields as well. With Public works assistance we were able to do this in house. Sand was also added to the trail at Freedom to make it level.
- Our department is hosting its first community basketball event at Paul Henry Smith Park on April 14th 1-2 PM. We will be collaborating with the fire department, as some of them are going to attend to play
- We also hosted our Easter Egg hunt. After moving the date from March 28th to March 30th due to weather. It was a pretty good turnout with it being Easter weekend. Around 50 kids participated

(Couple Pictures from our Easter Egg Hunt on March 30th)



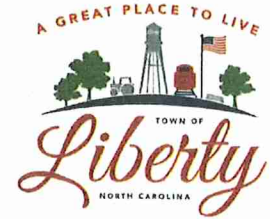
(Pictures from the “Run with Lily” event on March 16th)





**LIBERTY
PUBLIC LIBRARY**
RANDOLPH COUNTY
PUBLIC LIBRARIES

April 2024
Town Council Meeting
Monthly Report for
March 2024



MARCH 2024

2, 282 Items Were Checked Out in March. That is up 10% from the 2059 checked out in March of 2023.

Here are some of the Community Savings with those checkouts-

- 298 Movies - \$1,192
- 655 Adult Books- \$11,135
- 1,053 Childrens Books-\$17,901

<https://ilovelibraries.org/what-libraries-do/calculator/>

Free 24 Hour Free Wifi Use

WiFi had 154 unique users in March. This means that people connected to our free WiFi outside or within our building.

Online Resource Use

Our March EBook use was 155, EMagazines was 87, and EAudio use was 110.

Programs

The Library held onsite 14 programs with 362 participants

Funds Received

In March 2024, we have received \$237.80 for printing services. That totals \$2,658.15 since July 1, 2023.

2023 CALENDAR YEAR PROGRAM STATS



We participated in the Town of Liberty's annual budget retreat and shared the following numbers with our town officials from 2023:

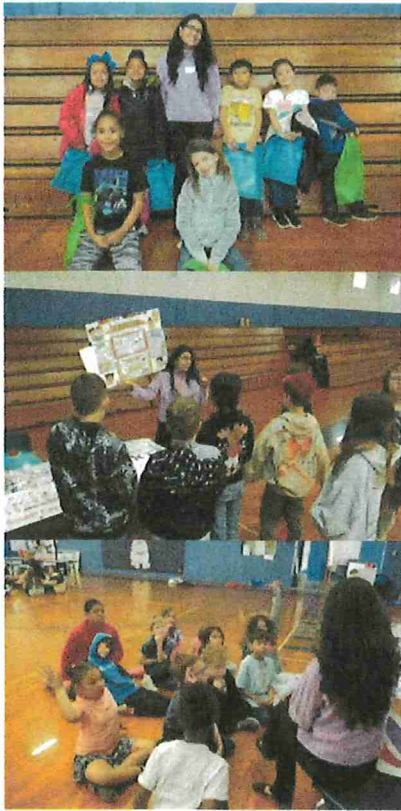
- | | |
|--|---|
| Number of Programs for Adults- 30 | Number of Programs for General Audience- 72 |
| Number of Participants - 261 | Number of Participants - 2, 231 |
| Number of Programs for Teens- 24 | Number of Programs Offsite- 29 |
| Number of Participants-294 | Number of Participants-2,158 |
| Number of Programs for Children (0-11)- 63 | |
| Number of Participants-1,636 | |

RETURN ON INVESTMENT

We also shared the following accumulated information for the community savings our patrons have by using library materials. As in the monthly totals above, this comes from the "Library Use Calculator" via the American Library Association. This total is for all materials from 2023:

- 3, 538 Movies = \$14,152.00
- 7, 813 Adult Books = \$132,821.00
- 11, 546 Children's Books = \$196,282.00

CAREER FAIR AT LIBERTY ELEMENTARY

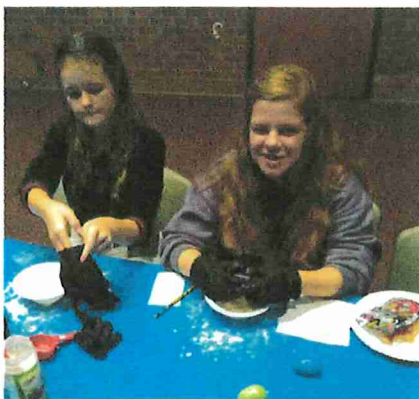


We were very excited to have been invited to a career fair at our local elementary school, Liberty Elementary. Ms. Gisela attended and spent an entire school day sharing about the pros and cons of working at a library. We of course took some library swag to share with our elementary friends such as bookmarks and stickers.



ASKING TEENS TO CONSIDER HOW TO CHANGE HABITS

For the monthly Teen Advisory Board program we have a "Spring Cleaning of the Mind" giving teens the chance to make bath bombs as an activity after considering how they could change their habits. They're not always keen on discussing deep questions, but we asked them to write down a habit they may want to change and then write down an affirmation for reminding themselves of that change. For example, if the habit was to make their bed then they wrote down "I'm the kind of person who makes my bed." We'll check in with them next month! We also fed them pizza, so it wasn't complete torture!



Yarn Painting Returns!

Last year we did a yarn "painting" of a small cactus and all of the participants asked for yarn "painting" to return. Yarn painting is taking pieces of yarn to create images and designs. This spring we created a colorful background and a vase with flowers in order to give participants the opportunity to do as much or as little with adding yarn as they wanted. This is a great activity for the people who don't like attention to details or meticulousness and can add a little yarn here and there, and also for the people who want to cover every inch of the "canvas" with yarn.



COMMUNITY HELPERS EGG PARADE

We love bringing in our community helpers to participate in our programming, especially with kids! For an egg and rabbit themed storytime we had a Liberty Fire Department firefighter read a book for us, enjoyed several fun songs and dancing, and then had a Community Helpers Egg Parade. Since it was raining outside, we had our "parade" inside and groups of people from the Liberty Senior Center, Liberty Fire Department, Town of Liberty Officers, Liberty Parks and Recreation, and Liberty Public Works handed out stuffed Easter eggs to the kids.

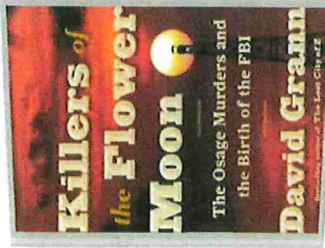




**LIBERTY
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RANDOLPH COUNTY
PUBLIC LIBRARIES
336-622-4605

MARCH 2024

ALL PROGRAMS AND EVENTS ARE FREE



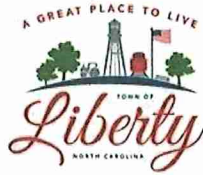
**BOOK CLUB BOOK
THIS MONTH!
KILLERS OF THE
FLOWER MOON**
DAVID GRANN

PEEPS® around the world
PEEPS® diorama contest

Our peeps have been busy traveling this year and want to share where they have gone! **MAKE A SHOEBOX-SIZED DIORAMA WITH THE ICONIC EASTER CANDIES AS THE MAIN CHARACTERS.**
All Ages!

REGISTER AND PICK UP YOUR PEEPS BETWEEN THE 25 TO 30!
Displays due by April 5.

MON	TUE	WED	THU	FRI	SAT
<p>CALL TO REGISTER YOUR CAR SPACE BY APRIL 5TH</p> <p>MULTICULTURAL TRUNK FEST</p> <p>Help us celebrate El día de los niños/El día de los libros (Children's Day/Book Day) with a "trunk or treat" style multicultural festival! SATURDAY, APRIL 20 @ 1-3 PM Decorate your trunk based on a country you have researched and tell us about it!</p> <p>Día El Día de los Niños / El Día de los Libros</p>					
<p>4 4</p> <p>4 PEEPS® SUPER SMASH BROS SWITCH IT UP! 4-600 PM AGES 8+</p>	<p>5 5</p> <p>5 PEEPS® CLOVERS PROGRAM WITH 4H 3:30 PM ALL AGES</p>	<p>6 6</p> <p>6 PEEPS® GARDENING STORYTIME 10:30 AM BEST FOR AGES 0-6</p>	<p>7 7</p> <p>7 PEEPS® RAINBOWS STORYTIME 10:30 AM BEST FOR AGES 0-6</p>	<p>8 8</p> <p>8 PEEPS® YARN "PAINTING" 3:30 PM ALL AGES PLEASE REGISTER!</p>	<p>9 9</p> <p>9 PEEPS® MANGA MEET UP! 1 PM TEENS AND RISING TEENS</p>
<p>11 11</p> <p>11 PEEPS® "SPRING CLEANING" OF THE MIND TEEN ADVISORY BOARD 4PM AGES 11+</p>	<p>12 12</p> <p>12 PEEPS® your story! KIDS CLUB 4PM K-5TH GRADE AGE ALL ABOUT ME</p>	<p>13 13</p> <p>13 PEEPS® SPRING STORYTIME 10:30 AM BEST FOR AGES 0-6</p>	<p>14 14</p> <p>14 PEEPS® BOOK CLUB ADULTS 6:30 PM</p>	<p>15 15</p> <p>15 PEEPS® BOOK SALE WEEKEND - - - BOOK SALE WEEKEND</p>	<p>16 16</p> <p>16 PEEPS® BOOK SALE WEEKEND - - - BOOK SALE WEEKEND</p>
<p>18 18</p> <p>18 PEEPS® LIBERTY READERS BOOK CLUB ADULTS 1:00 PM WITH THE LIBERTY SENIOR CENTER</p>	<p>19 19</p> <p>19 PEEPS® YARN "PAINTING" 2:30 PM ALL AGES PLEASE REGISTER!</p>	<p>20 20</p> <p>20 PEEPS® SPRING STORYTIME 10:30 AM BEST FOR AGES 0-6</p>	<p>21 21</p> <p>21 PEEPS® NC COOPERATIVE EXTENSION NUTRITION BEYOND THE PLATE WITH NC COOP. EXTENSION 2:30 PM ADULTS & TEENS PLEASE REGISTER</p>	<p>22 22</p> <p>22 PEEPS® BOOK SALE WEEKEND - - - BOOK SALE WEEKEND</p>	<p>23 23</p> <p>23 PEEPS® BOOK SALE WEEKEND - - - BOOK SALE WEEKEND</p>
<p>25 25</p> <p>25 PEEPS® HELLO HOLA</p>	<p>26 26</p> <p>26 PEEPS® FAIRY BOOK NOOK 1:30 PM ADULTS PLEASE REGISTER!</p>	<p>27 27</p> <p>27 PEEPS® COMMUNITY HELPERS EGG PARADE STORYTIME 10:30 AM BEST FOR AGES 0-6</p>	<p>28 28</p> <p>28 PEEPS® FAIRY BOOK NOOK 3:00 PM 8+ AND TEENS PLEASE REGISTER! EGG HUNT WITH SPARKS AND REC 6:00-7:00</p>	<p>29 29</p> <p>29 PEEPS® GOOD FRIDAY LIBRARY CLOSED</p>	<p>30 30</p> <p>30 PEEPS® BONTOUR</p>



Liberty Fire Department
515 West Swannanoa Ave.
Liberty, NC 27298



Liberty Fire Department

March 2024 Report

LFD responded to 80 calls during the month of March 2024 including:

- 4 buildings fires
- 2 brush fires
- 3 fire alarms
- 4 smoke investigations
- 2 motor vehicle accidents with injuries
- 2 motor vehicle accidents without injuries
- 1 water leak
- 3 gas leaks/hazardous materials
- 46 medical calls
- 1 dispatched and canceled enroute
- 5 public service calls



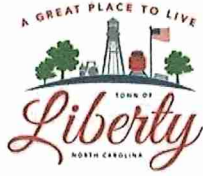
On March 26, 2024, Liberty Fire Department hosted Kimesville Volunteer Fire Department and Snow Camp Volunteer Fire Department for multi-company training.

On March 7 and 8, LFD responded to electrical equipment fires at Dollar General. Due to the potential hazard to the public, Randolph County Building Inspections was called to assist before the store could reopen.

Fire Chief Matt Talbott, Captain Bret Pedigo and Engineer Gilbert Black attended railroad hazard training by Norfolk Southern at their Greensboro train depot.

Fire Marshall Jason Coleman attended Level 3 Fire Inspector training

Liberty Fire Department personnel participated in an indoor Easter celebration at the Liberty Public Library.



Town of Liberty Safety Department Report March 2024

Employee Safety

There were no reported injuries during the month.

Safety Manual

The safety department has begun the annual review of the town's Safety Manual to make any additions or changes that may be necessary due to change rules and practices.

Worker's Compensation Plan

The safety department has begun review of our Worker's Compensation policy with NCLM in preparation for fiscal 2024-25.

New Employee Training

There were no new employees requiring safety training during February.

PD Monthly

For the period 3/1/2024 to 3/31/2024 The Liberty Police Department had 508 daily log entries, 18 Domestic and 113 traffic stops, 125 charges and 41 warnings. The average citation for speeding was 23.1 MPH above the speed limit, 7 traffic accidents.

Detectives

Invictus Task Force is up and running. We participated in multiple ops, to which 4 people were arrested in this month that we were a part of. 2 individuals were charged with traveling to meet minors for sexual activity here in Liberty. Other juvenile victims were uncovered through the proactive work being conducted and are working to investigate those cases to bring justice to the victims of those newly discovered crimes. Working on cases through the Invictus Task Force, with nationwide nexuses across the USA, that has resulted in numerous arrests across the US, to include an active military a service member. Assisted in forensics of a search warrant with HSI in Thomasville that will result in federal prosecution by the lead case agent.

Juvenile sexual assault that occurred in Liberty, having to interview victims, witnesses and suspects.

Continued incoming DSS Referrals.

Training in Asheville, NC at no cost for ICAC related training.

Assisted Mooresville PD along with HSI.

Brandon Wall and William Dunlap were indicted on federal robbery and weapons charges.

William Ray Hartsell a registered sex offender, was indicted federally on Child Pornography (CSAM- Child Sexual Abuse Material) violations.

Working on Court order for Dangerous Dog Complaint.

Digital Forensics for multiple agencies, including our own for various serious cases to include, narcotics, child sexual abuse, violent crimes, and others.

Narcotics violation charged, and continued investigations collaborating with assisting agencies.

Diverted to assist in covering numerous patrol shifts.

SERT

03/01/24-03/31/24

03/06: Sniper Training

03/06: Range Night

03/14: Call Out

03/18: Call Out

Staffing

New Police Department

We are mostly done with the PD although there are still small things to be handled,

Vehicles

Once the PD is finished we will equip the new Charger and sell several older vehicles. All vehicles are operating well and no issues (other than a battery) are known. We have been notified of surplus HUMVEES becoming available as the military shifts to a replacement vehicle. We have been carefully reviewing available vehicles for a suitable addition to the Towns vehicle fleet.

Staffing

Sgt Murphy is retiring this month, Detective Summers will be out up to 6 months on medical leave and patrol still has an opening. This puts us at basically half staff for patrol. We have contacted the various BLET schools in the area for replacements but no student has expressed interest in Liberty as we cannot compete with surrounding agencies benefits. 2 of our current officers are considering leaving for the Sheriff's office and Asheboro, primarily citing pay. Scala, Semrad and Hargrove will be visiting the BLET programs in the coming month to try to persuade candidates to consider Liberty but most have signed with other agencies.

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Chief DJ Semrad
Liberty Police Department
Liberty, NC
336-622-9053

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024
Item:	Audit Presentation - FY 2021/2022 Austin Eubanks with Thompson, Price, Scott, & Adams

Attachment:	Yes
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Brief Description:

Austin Eubanks with Thompson, Price, Scott , & Adams will give a remote presentation for the FY 2022/2023 audit.

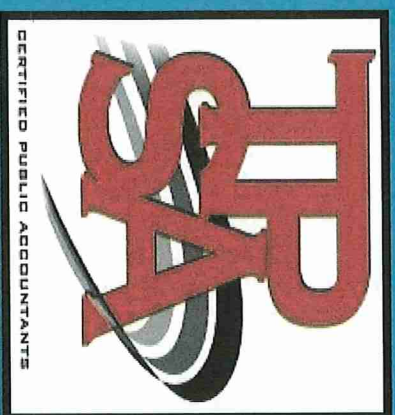
Staff Recommendation:

Review and approve at Council Meeting.

TOWN OF LIBERTY

AUDIT PRESENTATION

FOR THE YEAR ENDED JUNE 30, 2023



Thompson, Price, Scott, Adams & Co., P.A.
4024 Oleander Drive Suite 103
Wilmington, North Carolina 28403
Telephone (910) 791-4872
Fax (910) 239-8294

TOWN OF LIBERTY REQUIRED COMMUNICATIONS

Area

Responsibilities Under Generally Accepted Auditing Standards, Government Auditing Standards, OMB Uniform Guidance, and the State Single Audit Implementation Act.

Design the audit to provide reasonable assurance that the financial statements are free of material error and in compliance with government regulations.

- Accomplished. No material error noted.

Perform all planned procedures and have complete access to both management and required information.

- Completed. Our work was not limited in any way.

Communicate significant deficiencies in the internal control.

- To be discussed at the end of presentation.

Comments

TOWN OF LIBERTY

REQUIRED COMMUNICATIONS (CONTINUED)

Area

Comments

Adoption or Change in Accounting Policies

Communicate the initial adoption of or a change in an accounting principle which had or is expected to have a significant effect on the financial statements.

- GASB 96 – IT Subscription.

Management Judgment and Accounting Estimates

Assess methodologies used and basis of evidence for matters requiring judgments and estimates.

- Methods used and evidence considered appear to have led to reasonable amounts being included in the financial statements.

Financial statement disclosures

- The financial statement disclosures are neutral, consistent, and clear.

Significant Audit Adjustments or Unrecorded Differences

Communicate significant recorded and unrecorded differences.

- None.

TOWN OF LIBERTY REQUIRED COMMUNICATIONS (CONTINUED)

Area

Comments

Disagreements with Management

Communicate any disagreements on financial or reporting matters that, if not satisfactorily resolved, would cause a modification of our report.

- None.

Management Representations

- Management provided a management representation letter.

Consultation with Other Accountants

Communicate consultation that took place with other accountants.

- None to our knowledge.

Prior to Retention Issues

Communicate any major issues that management discussed with the auditor in connection with the retention of the auditor, including the application of accounting principles and auditing standards.

- None.

TOWN OF LIBERTY REQUIRED COMMUNICATIONS (CONTINUED)

Area

Comments

Difficulties Encountered Performing the Audit

Any serious difficulties the auditor encountered in dealing with management such as unreasonable delays in providing needed information, unreasonable timetable set by management, or unavailability of client personnel.

- None noted.

Irregularities and Illegal Acts

Communicate the existence of any material irregularities and/or illegal acts determined during the audit.

- None noted.

Other Findings or Issues

- To be discussed at the end of presentation.

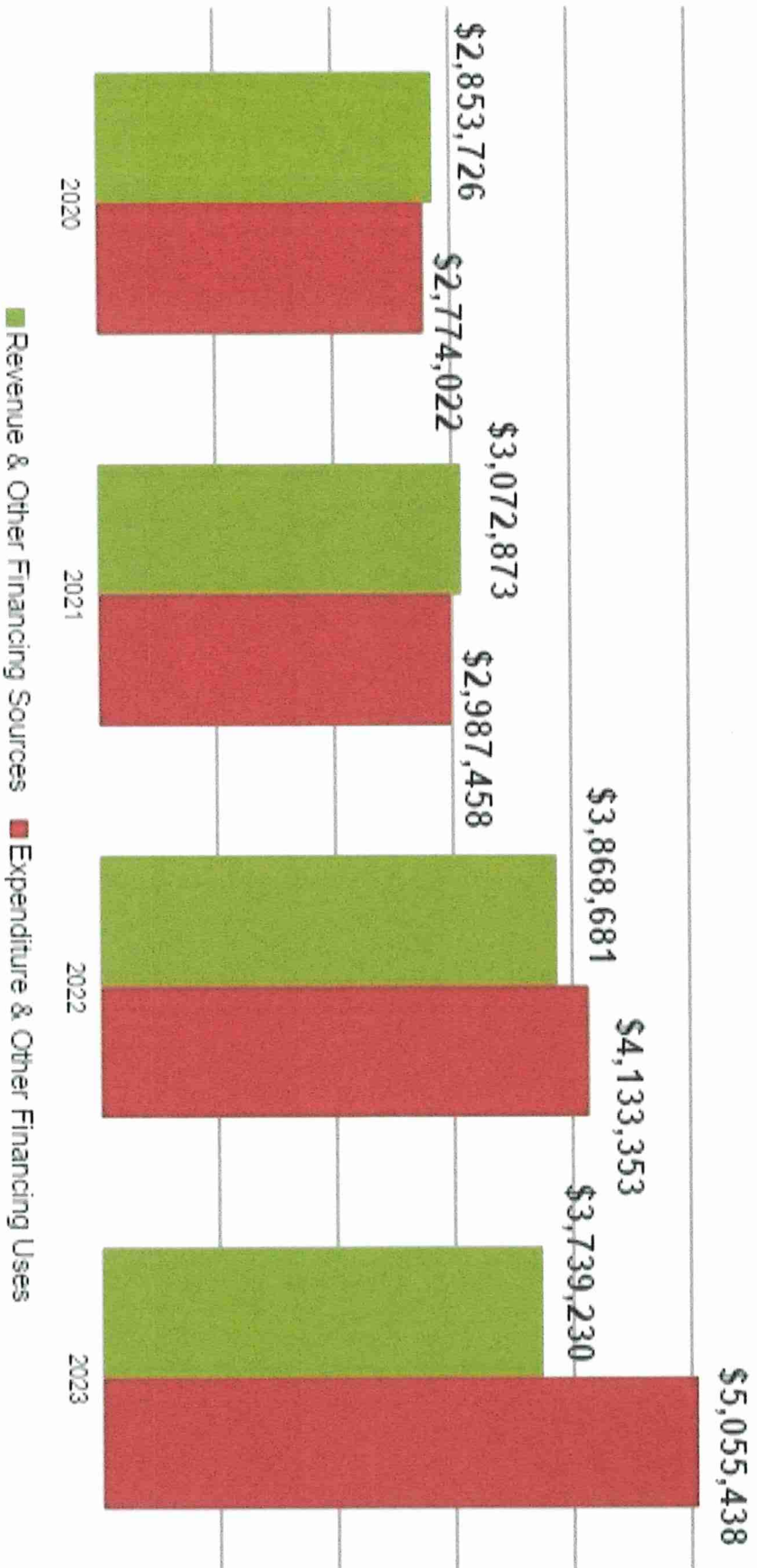
TOWN OF LIBERTY GENERAL FUND

Dear Board Members:

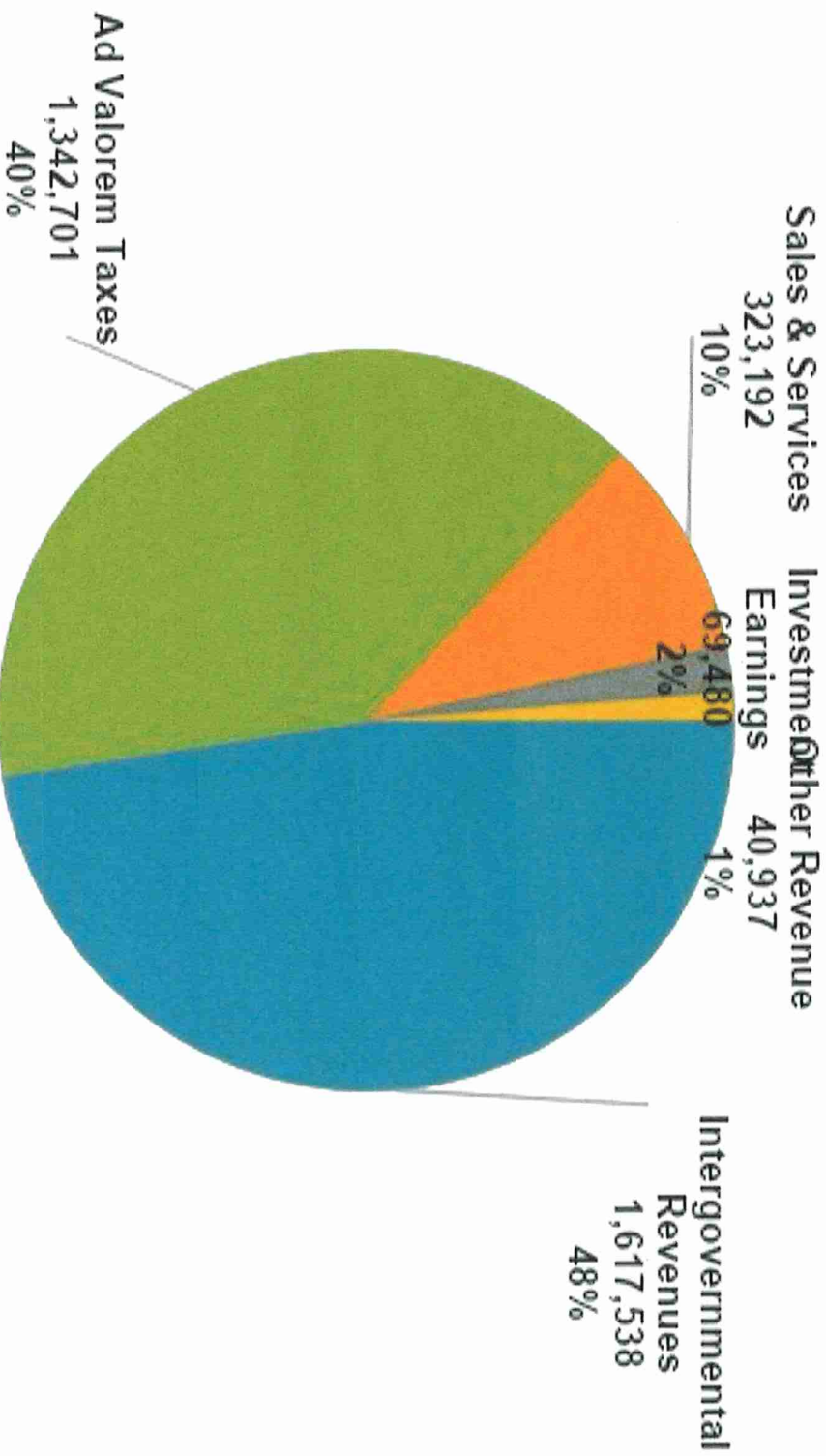
Below is a summarization of some of the key items in the audit report.

	<u>2023</u>
Total Revenues	\$ 3,393,848
Total Expenditures	\$ 5,055,438
Other Financing Sources (Uses)	\$ 345,382
Net Change	\$ (1,316,208)
Minimum Undesignated Fund Balance as Recommended by the Local Government Commission (34%)	\$ 1,718,849
Unassigned Fund Balance	\$ 657,077
Fund Balance Available as a Percentage of General Fund Expenditures	13.15%
Tax Collection Rate	99.42%

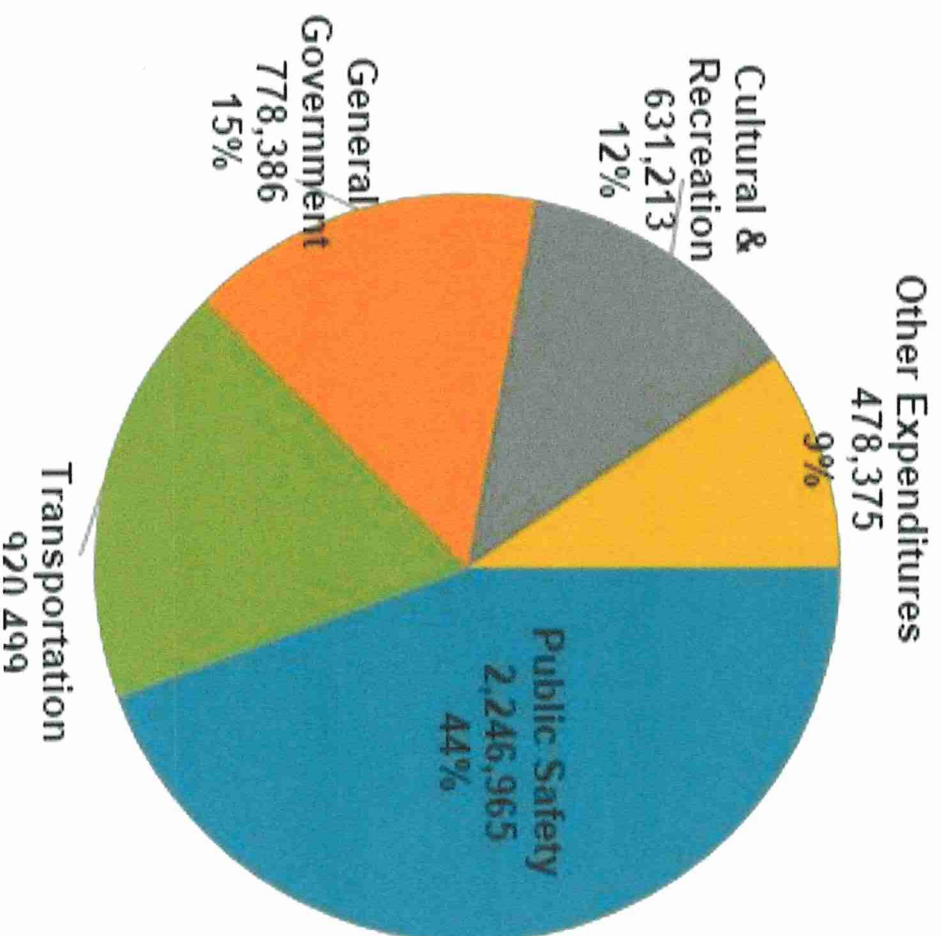
GENERAL FUND OPERATING SUMMARY



TOP 4 REVENUES: GENERAL FUND - OPERATING

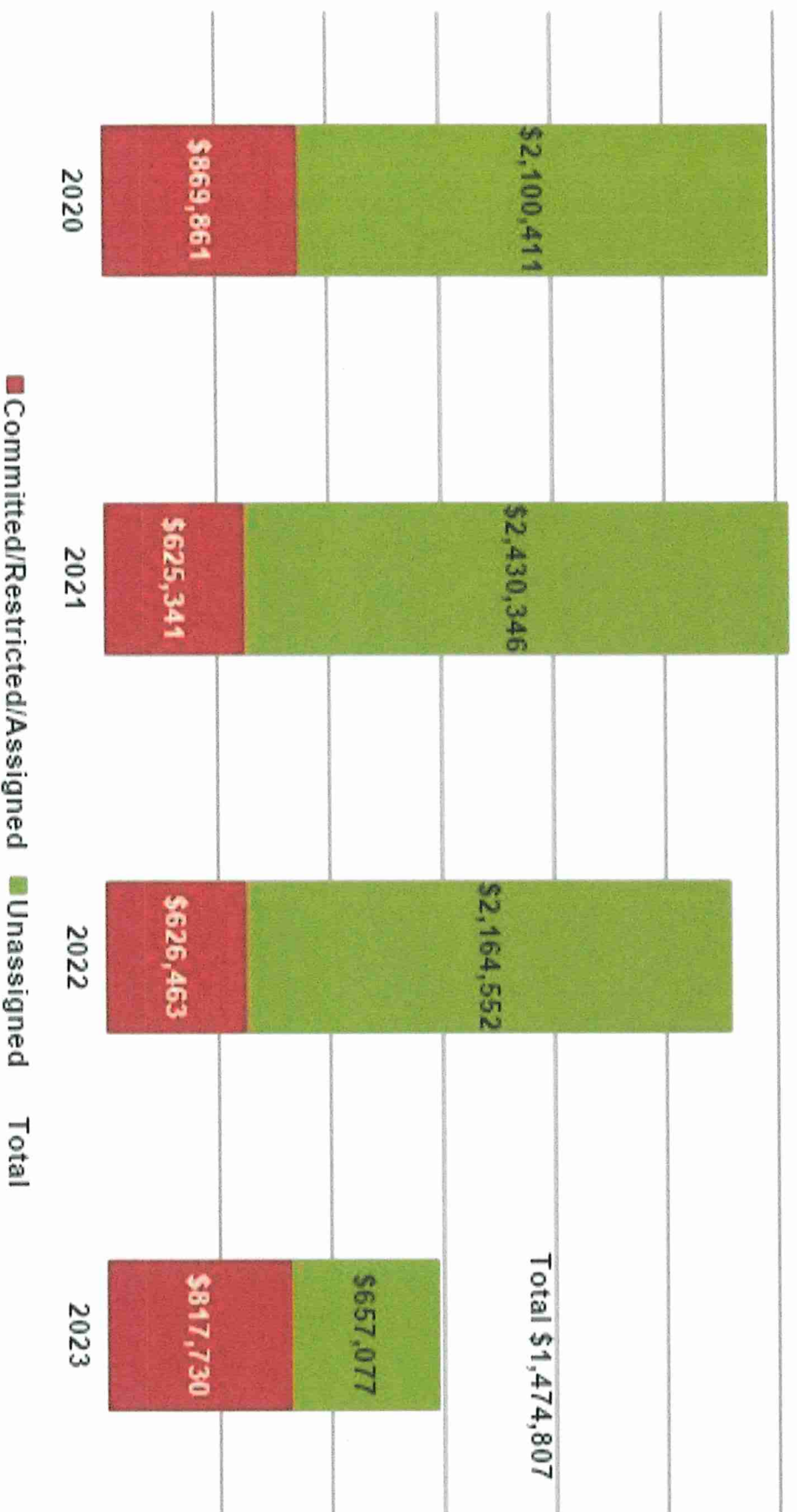


TOP 4 EXPENDITURES: GENERAL FUND - OPERATING



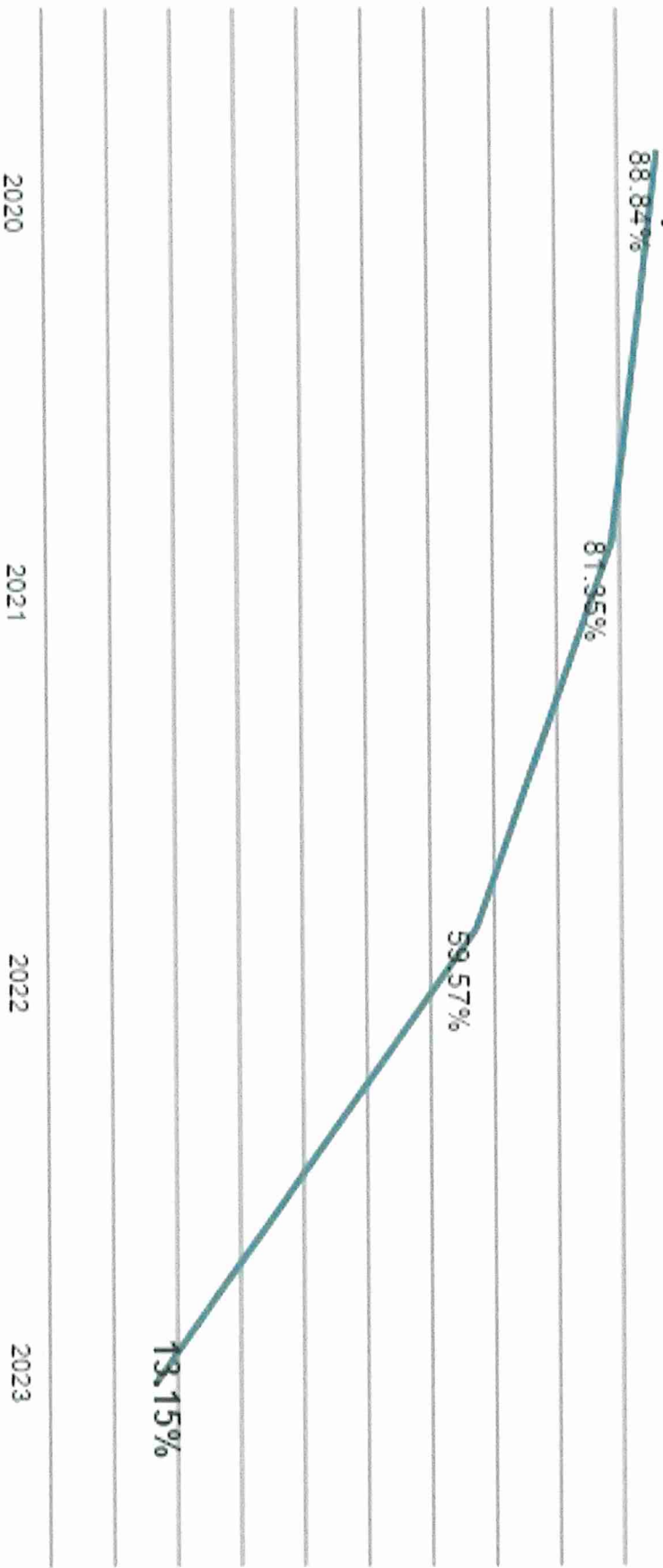
GENERAL FUND

ANALYSIS OF FUND BALANCE



TOWN OF LIBERTY

Fund Balance Available as a Percentage of General Fund Expenditures



TOWN OF LIBERTY ARPA FUND

Dear Board Members:

Below is a summarization of some of the key items in the audit report.

	<u>2023</u>
Total Revenues	\$ 698,543
Total Expenditures	\$ -
Other financing sources (uses)	\$ (698,543)
Net Change	\$ -
Net Position at the Beginning of the Year	\$ -
Net Position at the End of the Year	\$ -

TOWN OF LIBERTY NON-MAJOR FUND

Dear Board Members:

Below is a summarization of some of the key items in the audit report.

	<u>2023</u>
Total Revenues	\$ 104,915
Total Expenditures	\$ 220,096
Net Change	\$ (115,181)
Net Position at the Beginning of the Year	\$ 472,469
Net Position at the End of the Year	\$ 357,288

TOWN OF LIBERTY WATER & SEWER FUND

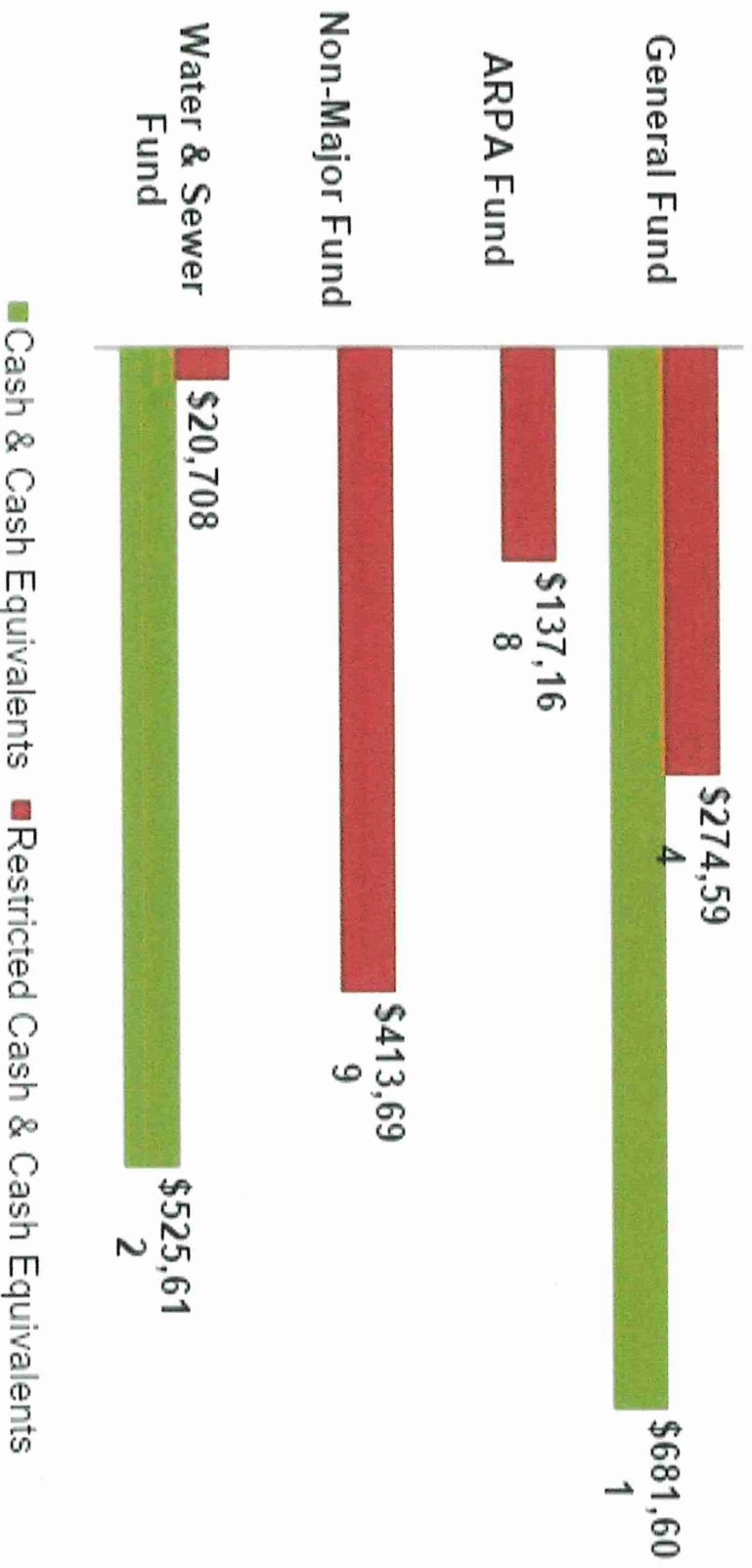
Dear Board Members:

Below is a summarization of some of the key items in the audit report.

	<u>2023</u>
Total Revenues	\$ 949,220
Total Expenditures	\$ 1,683,336
Operating Income (Loss)	\$ (734,116)
Nonoperating Revenues (Expenses)	\$ 206,490
Other Financing Sources (Uses)	\$ 500,156
Net Change	\$ (27,470)
Net Position at the Beginning of the Year	\$ 6,345,763
Net Position at the End of the Year	\$ 6,318,293

Town of Liberty

Analysis of Cash



Town of Liberty

Financial Statement Finding

SIGNIFICANT DEFICIENCY

2023-001 Failure to Perform Reconciliations of Significant Accounts

Criteria: Accounts receivables are not reconciled to the general ledger accounts in a timely or accurate manner.

Condition: There is a lack of ability to reconcile these subsidiary ledgers to the general ledger.

Effect: Information obtained from general ledger could be incorrect.

Cause: Inadequate training with software.

Identification of a repeat finding: This is a repeat finding.

Recommendation: The Town should obtain additional training with the software vendor and evaluate the usefulness of the system.

Views of responsible officials and planned corrective actions: The Town agrees with this finding and will adhere to the corrective action plan to follow.

Town of Liberty

Financial Statement Finding

SIGNIFICANT DEFICIENCY/MATERIAL NONCOMPLIANCE

2023-002 Timeliness of Audit Report Submission

Criteria: The June 30, 2023 audit was submitted passed the required due date. This is a violation of G.S. 159-34.

Condition: The Town did not provide necessary data to audit firm in a timely manner.

Effect: The reports are a requirement of General Statutes; lateness created the statute violation.

Identification of a repeat finding: This is a repeat finding.

Cause: Untimely reconciliations of accounts to the ledgers.

Recommendation: The Town will ensure reconciliations are performed timely.

Views of responsible officials and planned corrective actions: The Town agrees with this finding and has already taken action.

ADDITIONAL REQUIRED COMMUNICATIONS

Changes to the Audit Process

The Local Government Commission (LGC) will no longer initiate communications about concerns or findings (formerly considered unit letters). They have created a spreadsheet that has to be completed and submitted with the audit report. If that worksheet identifies what they consider a "Financial Performance Indicators of Concern" (FPICs), we are required to communicate those items to the Board.

You are required to submit a response within 60 days of the Board meeting in which the financial statements are presented. The detailed audit response should be presented to the entire Board, and signed by the entire Board, Finance Officer, and Manager.

The following FPIC's were identified on the LGC's transmittal document that we are required to notify you about:

ADDITIONAL REQUIRED COMMUNICATIONS

WATER SEWER FUND:
 As of the publication date of this workbook, prior year self-reported numbers may not been received by the LG C staff, please contact LG C staff at lgcaudit@nctreasurer.com to have the prior year's financial data populated on this worksheet. Please include in email subject "Prior Year Financial Data."


Note: If more than one performance indicator is identified, one proposed solution may solve all water and sewer performance indicators.

Cash Flow Indicators:	2021	2022	2023	Minimum Threshold	Unit Results	
Operating Net Income (loss) excluding depreciation, including debt service principal and interest	(\$685,403)	(\$156,147)	(\$497,255)	Greater than zero	(\$497,255)	This calculation subtracts operating expenses from operating revenues. Depreciation expense is not included the calculation but debt principal and interest payments are included. A negative balance indicates that your rates are not covering your operating expenses and debt service payments.

Cash Flow Indicators:	2021	2022	2023	Minimum Threshold	Unit Results	
Water and Sewer Condition of Assets	0.35	0.32	0.34	Remaining useful life of asset greater than or equal to 0.50	0.34	This capital assets condition ratio formula calculates the remaining useful life. A remaining useful asset value less than 0.50 may signal the need to replace the assets in the near future.

GENERAL PERFORMANCE INDICATORS:	2023	Target				
What date was the audit report submitted to the LGC? (Note audit reports are due four months after fiscal year end regardless of the contract submission date.)	2/7/2024				Late	As stewards of the public's resources, the governing body is responsible for ensuring that the audited financial statements are available to the public in a timely manner. External groups such as the North Carolina General Assembly, federal and State agencies that provide funding, and other public associations need current financial information about your local government as well.

The Unit had material weaknesses, significant deficiencies, statutory violations and/or items identified on the <i>TD Info Completed by Auditor</i> tab that should be addressed in the FPIC Response Letter.	Yes				Yes	This indicator identifies whether the unit has any material weaknesses, significant deficiencies, management letter comments or items identified on the <i>TD Info Completed by Audit tab</i> including 1055, 1056, 1058, 955 and 957, that require a response.
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**Thank You for the
Opportunity to Work
With You!**

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 20224
Item:	Budget Appropriation Requests

Attachment:	Yes
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Brief Description:

Representatives from Randolph EDC, Randolph Senior Adults and the Liberty Chamber of Commerce will present their Budget Appropriation requests for the new fiscal year.

Staff Recommendation:

Review and approve.



176 North Fayetteville Street
Asheboro, NC 27203

O: 336.626.2233
RCEDC.com

March 15, 2024

Scott Kidd
Town Manager
Town of Liberty
126 South Fayetteville Street
Liberty, NC 27298

Transmitted via email to townmanager@townoflibertync.org

Dear Scott,

Since 1985, the Randolph County Economic Development Corporation has worked with the Town of Liberty to provide a full range of economic development services for Liberty citizens and our county. Our focus has been industrial development with goals of quality job creation, increased tax base and diversification of our economy. Based on results over the past year, our efforts are making a difference in Liberty and across the county.

Although our Randolph Rises campaign successfully captured commitments for additional private sector investment, the EDC still relies primarily on local government appropriations to conduct economic development efforts. These appropriations are investments in the future of Liberty and Randolph County, resulting in an excellent return on investment from growing tax revenues and good employment opportunities. **The Randolph County EDC requests \$6,600 for the 2024-25 fiscal year from the Town of Liberty.** Our request remains unchanged from the current fiscal year.

Serving as your designated representative for economic development services, the EDC Program of Work includes, among other things:

- Existing business and industry support,
- Business and industrial recruitment,
- Marketing Randleman and Randolph County as a location for business investment,
- Industrial Product Development, and
- Partnering in workforce development initiatives to meet the talent and skill needs of employers.

Thank you for your consideration of this request. Please let me know if you would like me to come before Town Council to make a formal, in-person request. We look forward to a continued partnership and a bright economic future.

Sincerely,

Kevin P. Franklin
President

cc: Mayor Filmore York via email

Town of Liberty Appropriation Request Form

All Requests for Appropriations for the FY 24/25 Budget Year are due by April 5th, 2024.
All Entities requesting appropriations can present at the April 15th, 2024 Work Session.

1. **Organization Name:** Randolph Senior Adults Association, Inc.

2. **Scope of Work, Objectives, Results, Performance Measures:**

The potential recipient shall detail below how the organization will spend the grant funds in compliance with the specific purpose(s) as stated in the Appropriations Act. The description should include objectives to be achieved, expected results, and performance measures. The description should also include anticipated timing of those objectives, expected results and any services provided. Add additional sheets as necessary.

Scope of Work: What would your project look to achieve overall?

Randolph Senior Adults Association's (RSAA) mission is to empower adults age 50 and over in Randolph County toward a life of personal independence; healthy aging; social connection; and life-long learning. We achieve this through "Active Aging" - offering community-based programs and services designed to help older adults remain safely in their homes and to delay or prevent institutionalization. Institutionalization is costly not just for seniors, but for their families and the communities that support them. RSAA is a 501(c)(3) nonprofit organization governed by a thirteen-member volunteer Board of Directors. Examples of how we fulfill the four goals within our mission statement are as follows:

*Personal Independence – RCATS Transportation; Activities and Events; Our Place Adult Day Care

*Healthy Aging – Senior Fitness (physical, emotional, mental); Medicare Open Enrollment; Certified SHIIP Counselors

*Social Connection – 5 Centers; Meals on Wheels; Congregate Activities; Travel Programs

*Life-Long Learning – Basic Computer Skills; Powerful Tools for Caregivers; Art & Crafts; Senior Cheerleading; Dance; Yoga, Tai Chi; etc.

Designated by the Randolph County Board of Commissioners as the lead agency for the provision of aging services to the County, our programs include Congregate and Home Delivered Meals (Meals on Wheels – MoW), Information and Options Counseling, Seniors Health Insurance Information Program (SHIIP), Legal Aid, Our Place Adult Day Care, Caregiver education and support, prescription assistance, Operation Heat Relief – Fan Program, healthcare equipment loan outs, transportation and outreach/extension services. We operate four Senior Centers (Archdale, Asheboro, Liberty &

Randleman), Our Place Adult Day Care, Regional Coordinated Area Transportation System (RCATS) and the Harry & Jeanette Weinberg Adult Resource and Education Center.

Our goal is to provide increased socialization for clients who attend the congregate meal program and for them to have increased levels of good nutrition and health awareness. The benefits of our home-delivered meal program (MoW) extend beyond the provision of a hot and healthy meal every weekday. With our MoW program, we focus on three goals – providing a nutritionally-balanced meal; improving socialization by having human interaction with those who have limited-to-no human interaction daily; and a wellness check. Each participant in our MoW program receives a face-to-face wellness check every time a meal is delivered to his or her home. Our volunteer drivers are assigned to specific routes, and over time they develop relationships with the clients on their routes. They observe first hand changes in a client's health, appearance, housing conditions or other situations that may signal a need for assistance. This information is relayed to our senior center directors who take follow-up action. In addition, for every \$2.00 spent on a nutritious meal, Senior Adults average \$25.00 of savings in health costs (Source: Blair Barton-Percival, Area Agency on Aging Director with the PTRC).

Objective(s): Main goals of your project

Congregate and Home Delivered meal programs operate out of each of the four senior centers in the County. Congregate meals are also served at Our Place Adult Day Care. The congregate lunch program offers Senior Adults an opportunity for fellowship and education with nutritionally balanced meals. Daily activities scheduled at each senior center are designed with Senior Adults interests in mind and include fitness & exercise, health & wellness screenings, educational courses, arts & crafts, games, music & entertainment. Mid-day meals are provided to eligible participants every weekday except on holidays and during agency-wide closings for inclement weather. Volunteer drivers deliver to participants of our Meals on Wheels program and ensures each client receives a daily welfare check along with a hot meal five days a week. Frozen meals are available to individuals who prefer that service or who live outside the current home delivery route service areas. The addition of the "rural route" (commenced in 2019) has eliminated the waiting list for home-delivered meals (MoW) for as long as our funding resources can meet the demand.

RSAA places emphasis on providing services to low-income, minority populations and others who may be socially, economically, or physically disadvantaged. To qualify for Congregate Meals, individuals must be a Randolph County resident, 60 years of age and older, the spouse of an eligible participant, or an individual who is health-impaired and in need of support, or those older persons whose independent living arrangement do not provide adequate facilities for meal preparation or socialization. To qualify for Home Delivered Meals, an individual must also be homebound in addition to the criteria required for Congregate Clients.

From 7/1/23 -1/31/24, the RSAA has served a total of 7,086 meals to 62 (monthly average) Liberty Clients. Meal program volumes are down slightly due to disruptions caused by our being closed for two weeks to accommodate the relocation of the Senior Center but they are trending upward. Frozen meals were provided to those who wanted them but our volumes slowed for the two weeks we were closed along with the need to rebuild momentum after we reopened in our new facility. All meals served by the RSAA are through a Food Service (Catering) contract with Golden Corral. Golden Corral provides meals at a cost of \$4.85/meal regardless of whether the meal is served hot, frozen or in a shelf stable

format. It should be noted that one of the benefits of partnering with Golden Corral is that every single meal we serve is created/prepared at their Asheboro restaurant. All of the money we spend with Golden Corral is an investment within our own community!

If we annualize the current meal volumes for the full fiscal year, we will serve 12,147 meals. 12,147 meals at a cost of \$4.85/meal would indicate a total expense of \$58,912.00 for the current fiscal year. From a demographic perspective, we are reminded of the fact that Randolph County's own Strategic Plan released in 2016 stated – over the next 15 years (2016 – 2031) 99% of the population growth in our county will be in the 65+ demographic! The number of Senior Adults seeking services from us continues to increase but it is considerably more challenging to provide that service without additional financial support.

Therefore, we are asking that you consider helping the RSAA defray the cost of meal program service to Liberty Senior Adults by maintaining your annual funding at the current level of \$26,122.00. Providing funding at the current level would mean that the Town of Liberty is covering 44% of our Liberty Client total meal expense. As you provided an increase in funding for the current fiscal year, we are not requesting another increase for the upcoming FY 2024/2025.

Expected Results: What would make your project a success?

Because of lower growth rates, the median age in Randolph County is accelerating – older adults will account for 99% of our projected net growth over the 15 year period of 2016 - 2031 (Source: Randolph County Strategic Plan – 2016). At the end-of-year 2020, the 60+ age demographic had exceeded the 0 – 17 age demographic for the first time in the history of the state of North Carolina (Source: Piedmont Triad Regional Council Area Agency on Aging). The need for RSAA's services will continue to grow as Randolph County's population ages in the years ahead. All of our community-based services are designed to help older adults remain independent for as long as possible. Most seniors desire to remain in their own homes for as long as possible, and our programs support them in doing that. Community-based services are also much less expensive than institutionalization. The cost of institutionalization has a negative impact not only for seniors and their families but also on the communities in which they live.

Studies show that isolation and loneliness among seniors increases the risk of mental and physical illnesses. RSAA's Nutrition, Senior Center Operations, and Our Place Adult Day Care programs address these needs through the provision of meals as well as socialization. These programs also address the following recommended Public Health Goals identified in the County's 2016 Strategic Plan: 1) improve access to health and wellness; 2) increase education related to health and wellness; 3) improve access to healthy foods and beverages; and 4) improve efforts to encourage and reward active life styles. All meals served by the RSAA meet the USDA's 1/3 of the daily nutritional requirements for healthy eating.

Performance Measure(s): How will you measure your objectives?

Our objectives are measured through Client Surveys conducted at various stages throughout the year.

Congregate

Our Program Outcomes are based upon the past full Fiscal Year of 7/1/2022 through 6/30/2023. Of the new clients served, 60% (53% prior year) reported participating in 5 or more activities per week. After one year of attending the center, 69% (65% prior year) of clients surveyed stated that they now participate in 5 or more social activities per week, and 93% (87% prior year) stated they participated in one or more activities per month.

85% (83% the prior year) of clients surveyed one year after participating in the Congregate Lunch program reported that they ate the entire lunch daily. Each meal meets one third (1/3) of the USDA Recommended Daily Nutritional Allowance.

Home Delivered Meals (Meals on Wheels)

Our Program Outcomes are based upon the past FY of 7/1/2022 through 6/30/2023. 95% (92% prior year) of clients surveyed after six months of participation in the program reported that they felt better after receiving visits from the volunteers who deliver their meals. After one year of participation in the program, 97% (95% prior year) of clients surveyed reported that they felt safer knowing that volunteers would be checking on them when delivering meals.

95% (93% the prior year) of clients surveyed one year after participating in the Home Delivered Meal (MoW) program reported that they ate the entire lunch daily. Each meal meets one third (1/3) of the USDA Recommended Daily Nutritional Allowance.

3. Sub-grants

- a. Does the Recipient anticipate that it will sub-grant or pass down any funds to another organization? **No**

If yes, answer the following:

- b. Name of Sub recipient
c. Program Name
d. Amount to Sub-recipient

Continue to the next page for budget information.

4. Budget:

Below are general expenditure descriptions that can serve as a **GUIDE** for preparing the organization's budget related to the grant award.

The following budget is for the time period beginning (7/1/2024) and ending (6/30/2025).*

EXPENDITURE DESCRIPTION	AMOUNT
<u>Employee Expenses (e.g. program related staffing)</u>	<u>\$</u>
<u>Services and Contract Expenses (12,147 meals @ \$4.85/meal contracted with Golden Corral = \$58,912.00)</u>	<u>\$26,122.00</u>
<u>Goods (e.g. supplies and equipment) Expenses</u>	<u>\$</u>

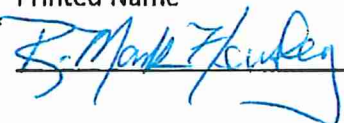
EXPENDITURE DESCRIPTION (CONT)	AMOUNT
<u>Administration Expenses (overhead & project management)</u>	<u>\$</u>
<u>Other Expenses (e.g. related charges not assigned)</u>	<u>\$</u>

Above and described by recipient)

Total Beginning Balance of the Project Fund \$26,122.00

**NOTE: Budget information provided above is based upon the current Fiscal Year of 7/1/23¹ – 1/31/24. Annualized figures are utilized for this funding proposal. As of 1/31/2023, the RSAA had served 7,086 meals through the Liberty Senior Center. Annualized that equates to 12,147 meals. The RSAA is requesting flat funding to remain at \$26,122.00.*

R. Mark Hensley Executive Director

Printed Name	Date
	2/21/2024

Town of Liberty Appropriation Request Form

All Requests for Appropriations for the FY 24/25 Budget Year are due by April 5th, 2024.

All Entities requesting appropriations can present at the April 15th, 2024 Work Session.

1. Organization Name: The Liberty Chamber of Commerce

2. Scope of Work, Objectives, Results, Performance Measures:

The potential recipient shall detail below how the organization will spend the grant funds in compliance with the specific purpose(s) as stated in the Appropriations Act. The description should include objectives to be achieved, expected results, and performance measures. The description should also include anticipated timing of those objectives, expected results and any services provided. Add additional sheets as necessary.

Scope of Work: What would your project look to achieve overall?

We use a Chamber Management system called Chamber Master. This was at the recommendation from Asheboro/Randolph County Chamber and the town council July 2022. This platform allows us to communicate better with the community, and businesses in the community. Also, the community calendar is available for businesses (including the town) to post events and job openings.

Better communication and more websites, drive attention to Liberty and our businesses. This will inevitably result in more economic growth for our town. This can be an invaluable tool for the community and businesses. Moreover, it is an efficient method to communicate programs/events the chamber is currently doing for the community. Examples of these programs/events include Ribbon Cuttings, Educational Classes, Business after hours, Food Truck Fridays and our Annual Christmas Tree Lighting Festival.

Objective(s): Main goals of your project

Our objective is to successfully bring the members of the community and their businesses together with town on one platform. This will make sure that there is one strong source for information. This will create a database of businesses that can be used for mass communication by the chamber and its members.

Expected Results: What would make your project a success?

Have one source for information combining the town, civic organization, clubs and businesses. One platform results in easier communication amongst the community. One location/database for this information can help make everyone stronger. We believe this is why the Asheboro/Randolph Chamber recommended this being the one thing we could do to help our businesses and community.

This platform offers each business a place to promote their business. They can place business info, contact information, events and job postings. The more a business has on the internet the more traffic they will receive. This is a huge perk for a local business.

Performance Measure(s): How will you measure your objectives?

We can measure our objective by monitoring the increased traffic on our new website/platform. Receiving feedback from local business and community. There are video instructions provided on the website for setup assistance. We continue to have had good feedback from several businesses. Increased usage of the platform will result in more traffic for businesses, and more traffic for events held in Liberty.

This process has been a huge asset to the chamber as well. It offers us the ability to provide help when communicating with businesses, and members of our community. In addition, it helps us organize our database of businesses, and facilitate our events. It also as new board members are voted in and getting them acclimated to our process.

3. Sub-grants

- a. Does the Recipient anticipate that it will sub-grant or pass down any funds to another organization? No

4. Budget:

Below are general expenditure descriptions that can serve as a **GUIDE** for preparing the organization's budget related to the grant award.

Last year we paid \$4,776 for the annual fee. The expected fee going forward is \$4,776, however, with the cost of inflation and the increase in labor and general products, we would not be surprised if the fee increases going forward. We are not requesting any increase because we have not received any feedback from the company.

The following budget is for the time period beginning (1/1/2024) and ending (12/31/2024).

EXPENDITURE DESCRIPTION	AMOUNT
Employee Expenses (e.g. program related staffing) \$	
Services and Contract Expenses (e.g. utilities, telephone, data, Lease related expenses)	\$4,776.00
Goods (e.g. supplies and equipment) Expenses \$	
EXPENDITURE DESCRIPTION (CONT)	AMOUNT
Administration Expenses (overhead & project management) \$	
Other Expenses (e.g. related charges not assigned \$ Above and described by recipient)	
Total Beginning Balance of the Project Fund \$	

Please note, you will sign off on this appendix as part of executing the Grant Agreement (Contract).

Printed Name

Date

Travis Kivett (Treasurer)

3/1/2024

Liberty Chamber of Commerce NC
112 S GREENSBORO ST
LIBERTY, NC 27298
United States



Invoice Summary

Invoice Number	623873
Terms	Due on receipt
Due Date	09/19/2023
Amount Due (USD)	\$ 4,776.00

Thank you for choosing GrowthZone!

GrowthZone
PO Box 713306
Chicago, IL 60677-1324

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 20224 and April 22, 2024
Item:	Backflow program

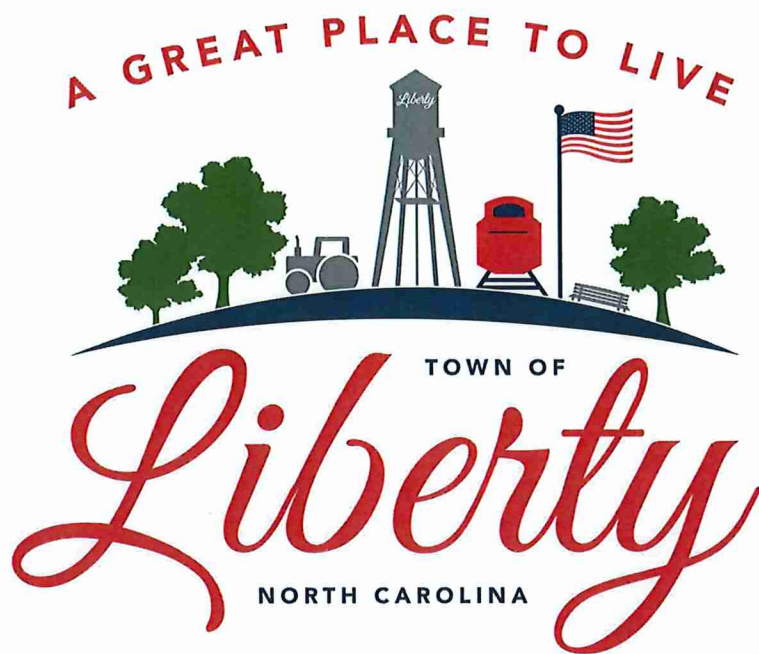
Attachment:	Yes
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Brief Description:

Public Works Director Joseph Walsh will discuss the state mandated backflow program. It would establish backflow and cross connection control for all customers of the Town of Liberty water system.

Staff Recommendation:

Review and approve.



**BACKFLOW AND CROSS-CONNECTION CONTROL
ORDINANCE**



ADOPTED: _____, 2024

**AN ORDINANCE OF THE TOWN OF LIBERTY
COUNCIL ESTABLISHING BACKFLOW AND CROSS
CONNECTION CONTROL FOR ALL CUSTOMERS OF
THE TOWN OF LIBERTY WATER SYSTEM**

BE IT ORDAINED by the **TOWN OF LIBERTY
COUNCIL:**

TOWN OF LIBERTY Backflow and Cross Connection Control Ordinance

Sec. 1-1. Introduction

- (a) The purpose of this Backflow and Cross Connection Control Ordinance (this "Ordinance") is to define the authority of TOWN OF LIBERTY(the "TOWN") as the water purveyor in the elimination of all cross connections within its public potable water supply.
- (b) This Ordinance shall apply to all users connected to the Towns public potable water supply regardless of whether the user is located within the boundaries of the Town or outside of the Town boundaries.
- (c) This Ordinance will comply with the Federal Safe Drinking Water Act (PL 93-523), the North Carolina State Administrative Code (15A NCAC 18C), and the North Carolina State Building Code (2018) as they pertain to cross connections with the public water supply.

Sec. 1-2. Objectives of Ordinance

The specific objectives of this Ordinance are as follows:

- (1) To protect the public potable water supply of the Town against actual or potential contamination by isolating within the consumer's water system contaminants or pollutants which could, under adverse conditions, backflow through uncontrolled cross connections into the public water system.
- (2) To eliminate or control existing cross connections, actual or potential, between the consumer's potable water system and nonpotable or industrial piping system.

- (3) To provide a continuing inspection program of cross connection control which will systematically and effectively control all actual or potential cross connections which may be installed in the future.

Sec. 1-3. Responsibilities

(a) *Health agency*

The North Carolina Department of Environmental Quality ("DEQ") has the responsibility for promulgating and enforcing laws, rules, regulations, and policies to be followed in carrying out an effective cross connection control program. DEQ also has the primary responsibility of insuring that the water purveyor operates the public potable water system free of actual or potential sanitary hazards, including unprotected cross connections. DEQ has the further responsibility of insuring that the water purveyor provides an approved water supply at the service connection to the consumer's water system and, further, that the water purveyor requires the installation, testing, and maintenance of an approved backflow prevention assembly on the service connection when required.

(b) *Water purveyor*

Except as otherwise provided in this Ordinance, the Town's responsibility to ensure a safe water supply begins at the source and is all of the public water distribution system, including the service connection, and ends at the point of delivery to the consumer's water system. In addition, the water purveyor shall exercise reasonable vigilance to insure that the consumer has taken the proper steps to protect the public potable water system. To insure that the proper precautions are taken, the Town is required to determine the degree of hazard or potential hazard to the public potable water system; to determine the degree of protection required; and to ensure proper containment protection through an on-going inspection program. When it is determined that a backflow prevention assembly is required for the protection of the public system, the Town shall require the consumer, at the consumer's expense, to install an approved backflow prevention assembly at each service connection, to test immediately upon installation and thereafter at a frequency as determined by the County, to properly repair and maintain such assembly or assemblies and to keep adequate records of each test and subsequent maintenance and repair, including materials and/or replacement parts.

(c) *Plumbing inspection*

The building inspections department of the County and/or the Town has the responsibility to not only review building plans and inspect plumbing as it is installed; but, to prevent and prohibit cross connections from being designed and built into the plumbing system within its jurisdiction. Where the review of building plans suggests or

indicates the potential for cross connections being made an integral part of the plumbing system, the plumbing inspector has the responsibility, under the state building code, to require that such cross connections be either eliminated or provided with backflow prevention equipment approved by the state building code. The plumbing inspector's responsibility begins at the point of delivery, downstream of the first installed backflow prevention assembly, and continues throughout the entire length of the consumer's water system. The inspector should inquire about the intended use of water at any point where it is suspected that a cross connection might be made or where one is actually called for by the plans. When such is discovered it shall be mandatory that a suitable, approved backflow prevention assembly approved by the state building code be required by the plans and be properly installed. The primary protection assembly for containment purposes only shall have approval from the Town, the state building code, and DEQ.

(d) *Consumer*

The consumer has the primary responsibility of preventing pollutants and contaminants from entering the consumer's potable water system or the public potable water system. The consumer's responsibility starts at the point of delivery from the public potable water system and includes all of the consumer's water system. The consumer, at his own expense, shall install, operate, test, and maintain approved backflow prevention assemblies as directed by the Town. The consumer shall maintain accurate records of tests and repairs made to backflow prevention assemblies and shall maintain such records for a minimum period of three years. The records shall be on forms approved by the Town and shall include the list of materials or replacement parts used. Following any repair, overhaul, repiping or relocation of an assembly, the consumer shall have it tested to insure that it is in good operating condition and will prevent backflow. Tests, maintenance, and repairs of backflow prevention assemblies shall be made by a certified backflow prevention assembly tester.

(e) *Certified backflow prevention assembly testers*

When employed by the consumer to test, repair, overhaul, or maintain backflow prevention assemblies, a backflow prevention assembly tester will have the following responsibilities: The tester will be responsible for making competent inspections and for repairing or overhauling backflow prevention assemblies and making reports of such repair to the consumer and responsible authorities on forms approved by the Town. The tester shall include the list of materials or replacement parts used. The tester shall be equipped with and be competent to use all the necessary tools, gauges, manometers and other equipment necessary to properly test, repair, and maintain backflow prevention assemblies. It will be the tester's responsibility to insure that original manufactured parts are used in the repair of or replacement of parts in a backflow prevention assembly. It will be the tester's further responsibility not to change the design, material or operational

characteristics of an assembly during repair or maintenance without prior approval of the Town. A certified tester shall perform the work and be responsible for the competency and accuracy of all tests and reports. A certified tester shall provide a copy of all test and repair reports to the consumer and to the Town utilities department within ten business days of any completed test or repair work. A certified tester shall maintain such records for a minimum period of three years. All certified backflow prevention assembly testers must obtain and employ backflow prevention assembly test equipment which has been evaluated and/or approved by the Town. All test equipment shall be registered with the Town utilities department. All test equipment shall be checked for accuracy annually, at a minimum, calibrated, if necessary, and certified to the Town as to such calibration, employing an accuracy/calibration method acceptable to the Town. All certified backflow prevention assembly testers must become re-certified every two years through an approved backflow prevention certification program.

Sec.1-4. Definitions.

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Air-gap separation means a physical separation between the free flowing discharge end of a potable water supply pipeline and an open or nonpressure receiving vessel. An approved air-gap separation shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the receiving vessel, but in no case less than one inch (2.54 cm).

Approved means, as used in reference to a water supply, a water supply that has been approved by DEQ; or, as used in reference to air-gap separation, a pressure vacuum breaker, a double check valve assembly, a double check detector assembly, a reduced pressure principle backflow prevention assembly, a reduced pressure principle detector assembly, or other backflow prevention assemblies or methods that meet the approval of the Town.

Backflow means the undesirable reversal of flow of water or mixtures of water and other liquids, gases, or other substances into the distribution pipes of the consumer or public potable water system from any source or sources.

Backflow prevention assembly--Approved. The term "approved backflow prevention assembly" means an assembly used for containment and/or isolation purposes that has been investigated and approved by the Town and has been shown to meet the design and performance standards of the American Society of Sanitary Engineers (ASSE), the American Water Works Association (AWWA), or the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California. The approval of backflow prevention assemblies by the County is based on a favorable report by the

Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California, recommending such an approval. To be approved, an assembly must be readily accessible for in-line testing and maintenance.

Backflow prevention assembly--Unapproved. The term "unapproved backflow prevention assembly" means an assembly that has been investigated by the Town and has been determined to be unacceptable for installation within the Town water system. Consideration for disapproval and removal from the "approved list" shall be based upon, but not limited to, the following criteria: (i) Due to poor performance standards (i.e., significant failure rate); (ii) lack of or unavailability of repair parts; and/or, (iii) poor service or response from assembly's factory representative.

Backflow prevention assembly--Type means an assembly used to prevent backflow into a consumer or public potable water system. The type of assembly used should be based on the degree of hazard either existing or potential. The types are:

- (1) Double check valve assembly (DCVA).
- (2) Double check detector assembly (fire system) (DCDA).
- (3) Pressure vacuum breaker (PVB).
- (4) Reduced pressure principle assembly (RP).
- (5) Reduced pressure principle detector assembly (fire system). (RPDA).

Backflow prevention assembly tester--Certified. The term "certified backflow prevention assembly tester" means a person who has proven his competency to the satisfaction of the Town. Each person who is certified to make competent tests, or to repair, overhaul, and make reports on backflow prevention assemblies shall be knowledgeable of applicable laws, rules, and regulations, shall be a licensed plumber or have at least two years experience under and be employed by a North Carolina licensed plumber or plumbing contractor, or have equivalent qualifications acceptable to the Town, and must hold a certificate of completion from an approved training program in the testing and repair of backflow prevention assemblies.

Backflow prevention device--Approved. The term "approved backflow prevention device" means a device used for isolation purposes that has been shown to meet the design and performance standards of the American Society of Sanitary Engineers (ASSE) and the American Water Works Association (AWWA)

Back-pressure backflow means any elevation in the consumer water system, by pump, elevation of piping, or steam and/or air pressure, above the supply pressure at the point of delivery which would cause, or tend to cause, a reversal of the normal direction of flow.

Back-siphonage backflow means a reversal of the normal direction of flow in the pipeline due to a negative pressure (vacuum) being created in the supply line with the backflow source subject to atmospheric pressure.

Check valve--Approved. The term "approved check valve" means a check valve that is drip-tight in the normal direction of flow when the inlet pressure is at least one psi and the outlet pressure is zero. The check valve shall permit no leakage in a direction reverse to the normal flow. The closure element (e.g. clapper, poppet, or other design) shall be internally loaded to promote rapid and positive closure. An approved check valve is only one component of an approved backflow prevention assembly, i.e., pressure vacuum breaker, double check valve assembly, double check detector assembly, reduced pressure principle assembly, or reduced pressure detector assembly.

Consumer means any person, firm, or corporation using or receiving water from the Town water system.

Consumer's potable water system means that portion of the privately owned potable water system lying between the point of delivery and point of use and/or isolation protection. This system will include all pipes, conduits, tanks, receptacles, fixtures, equipment, and appurtenances used to produce, convey, store, or use potable water.

Consumer's water system means any water system commencing at the point of delivery and continuing throughout the consumer's plumbing system, located on the consumer's premises, whether supplied by public potable water or an auxiliary water supply. The system or systems may be either a potable water system or an industrial piping system.

Containment means preventing the impairment of the public potable water supply by installing an approved backflow prevention assembly at the service connection.

Contamination means an impairment of the quality of the water which creates a potential or actual hazard to the public health through the introduction of hazardous or toxic substances or through the spread of disease by sewage, industrial fluids, or waste.

Cross connection means any unprotected actual or potential connection or structural arrangement between a public or a consumer's water system and any other source or system through which it is possible to introduce any contamination or pollution, other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices, and other temporary or permanent devices through which or because of which "backflow" can or may occur are considered to be cross connections.

Double check detector assembly means a specially designed assembly composed of a line-size approved double check valve assembly with a specific bypass water meter and a meter-sized approved double check valve assembly. The meter shall register (in U.S. gallons/cubic feet) accurately for only very low rates of flow and shall show a registration for all rates of flow. This assembly shall only be used to protect against a nonhealth hazard (i.e., pollutant).

Double check valve assembly means an assembly composed of two independently acting, approved check valves, including tightly closing shutoff valves attached at each end of

the assembly and fitted with properly located test cocks. This assembly shall only be used to protect against a nonhealth hazard (i.e., pollutant).

Hazard--Degree of. The term "degree of hazard" is derived from the evaluation of conditions within a system which can be classified as either a "pollutional" (nonhealth) or a "contamination" (health) hazard.

Hazard--Health. The term "health hazard" means an actual or potential threat of contamination of a physical, hazardous or toxic nature to the public or consumer's potable water system to such a degree or intensity that there would be a danger to health.

Hazard--Nonhealth. The term "nonhealth hazard" means an actual or potential threat to the quality of the public or the consumer's potable water system. A nonhealth hazard is one that, if introduced into the public water supply system, could be a nuisance to water customers, but would not adversely affect human health.

Hazard--Pollutional. The term "pollutional hazard" means an actual or potential threat to the quality or the potability of the public or the consumer's potable water system but which would not constitute a health or a system hazard, as defined. The maximum degree or intensity of pollution to which the potable water system could be degraded under this definition would cause a nuisance or be aesthetically objectionable or could cause minor damage to the system or its appurtenances.

Health agency means the North Carolina Department of Environmental Quality

Industrial fluids means any fluid or solution which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration such as would constitute a health or nonhealth hazard if introduced into a public or consumer potable water system. Such fluids may include, but are not limited to: process waters; chemicals in fluid form; acids and alkalis; oils, gases; etc.

Industrial piping system--Consumer's. The term "consumer's industrial piping system" means any system used by the consumer for transmission of or to confine or store any fluid, solid or gaseous substance other than an approved water supply. Such a system would include all pipes, conduits, tanks, receptacles, fixtures, equipment, and appurtenances used to produce, convey, or store substances which are or may be polluted or contaminated

Isolation means the act of confining a localized hazard within a consumer's water system by installing approved backflow prevention assemblies. Disclaimer: the Town may make recommendations, upon facility inspection, as to the usages of isolation devices/assemblies, but does not assume, nor does it have any responsibility whatsoever for such installations.

Point of delivery means generally at the property line of the customer, adjacent to the public street where the Town mains are located, or at a point on the customer's property where the meter is located. The customer shall be responsible for all water piping and control devices located on the customer's side of the point of delivery.

Pollution means an impairment of the quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of such waters for domestic use.

Potable water means water from any source which has been investigated by DEQ and which has been approved for human consumption.

Public potable water system means any publicly or privately owned water system operated as a public utility, under a current DEQ permit, to supply water for public consumption or use. This system will include all sources, facilities, and appurtenances between the source and the point of delivery such as valves, pumps, pipes, conduits, tanks, receptacles, fixtures, equipment, and appurtenances used to produce, convey, treat, or store potable water for public consumption or use.

Reduced pressure principle backflow prevention assembly means an assembly containing within its structure a minimum of two independently acting, approved check valves, together with a hydraulically operating, mechanically independent, pressure differential relief valve located between the check valves and at the same time below the first check valve. The first check valve reduces the supply pressure a predetermined amount so that during normal flow and at cessation of normal flow, the pressure between the checks is less than the supply pressure. In case of leakage of either check valve, the pressure differential relief valve, by discharge to atmosphere, shall operate to maintain the pressure between the checks less than the supply pressure. The unit shall include tightly closing shutoff valves located at each end of the assembly and each assembly shall be fitted with properly located test cocks. The assembly is designed to protect against a health hazard (i.e., contaminant).

Reduced pressure principle detector assembly means a specially designed assembly composed of a line-size approved reduced pressure principle backflow prevention assembly with a specific bypass water meter and a meter-sized approved reduced pressure principle backflow prevention assembly. The meter shall register, in U.S. gallons/cubic feet, accurately for only very low rates of flow and shall show a registration for all rates of flow. This assembly shall be used to protect against a health hazard (i.e., contaminant).

Service connections means the terminal end of a service connection from the public potable water system, i.e., where the Town loses jurisdiction and sanitary control over the water at its point of delivery to the consumer's water system.

Vacuum breaker--Atmospheric type. The term "atmospheric vacuum breaker," also known as the "nonpressure type vacuum breaker," means a device containing a float-

check, a check seat, and an air inlet port. The flow of water into the body causes the float to close the air inlet port. When the flow of water stops, the float falls and forms a check valve against back-siphonage and at the same time opens the air inlet port to allow air to enter and satisfy the vacuum. A shutoff valve immediately upstream may be an integral part of the device. An atmospheric vacuum breaker is designed to protect against a nonhealth hazard, isolation protection only, under a backsiphonage condition only.

Vacuum breaker--Pressure type. The term "pressure vacuum breaker" means an assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly is to be equipped with properly located test cocks and tightly closing shutoff valves attached at each end of the assembly. This assembly is designed to protect against a health hazard (i.e., contaminant) under a backsiphonage condition only.

Water purveyor means the owner or operator of a public potable water system, providing an approved water supply to the public.

Water supply--Approved. The term "approved water supply" means any public potable water supply which has been investigated and approved by DEQ. The system must be operating under a valid health permit. In determining what constitutes an approved water supply, DENR shall reserve the final judgment as to its safety and potability.

Water supply--Auxiliary. The term "auxiliary water supply" means any water supply on or available to a premises other than the Town's approved public potable water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source such as a well, spring, river, stream, etc., "used water", or industrial fluids. These waters may be polluted, contaminated, or objectionable and constitute an unacceptable water source over which the Town does not have sanitary control.

Water supply--Unapproved. The term "unapproved water supply" means a water supply which has not been approved for human consumption by DEQ.

Water--Used. The term "used water" means any water supplied by a water purveyor from a public water system to a consumer's water system after it has passed through the point of delivery and is no longer under the control of the water purveyor.

Sec. 1-5. Right of entry

(a) Authorized representatives from the Town shall have the right to enter, upon presentation of proper credentials and identification, any building, structure, or premises during normal business hours, or at any time during the event of an emergency, to perform any duty imposed by this Ordinance. Those duties may include sampling and testing of water, or inspections and observations of all piping systems connected to the public water supply. Where a customer has security measures in force which would require proper identification and

clearance before entry into customer's premises, the customer shall make necessary arrangements with the security guards so that upon presentation of suitable identification, Town personnel will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. Refusal to allow entry for these purposes may result in discontinuance of water service.

- (b) On request, the consumer shall furnish to the Town any pertinent information regarding the water supply system on such property where cross connections and backflow are deemed possible.

Sec. 1-6. Elimination of cross connections; degree of hazard

- (a) When cross connections are found to exist, the owner, his agent, occupant, or tenant will be notified in writing to disconnect the cross connection within the time limit established by the Town Degree of protection required and maximum time allowed for compliance will be based upon the potential degree of hazard to the public water supply system. The maximum time limits are as follows:
 - (1) Cross connections with private wells or other auxiliary water supplies--immediate disconnection.
 - (2) All facilities which pose a health hazard to the potable water system must have a containment assembly in the form of a reduced pressure principle backflow prevention assembly within 60 days.
 - (3) All industrial and commercial facilities not identified as a health hazard shall be considered nonhealth hazard facilities. All nonhealth hazard facilities must install, as a minimum containment assembly, a double check valve assembly within 90 days
 - (4) If, in the judgment of the Town, an imminent health hazard exists, water service to the building or premises where a cross connection exists may be terminated unless an air gap is immediately provided, or the cross connection is immediately eliminated.
 - (5) Based upon recommendation from the Town the consumer is responsible for installing sufficient internal isolation backflow prevention assemblies and/or methods (i.e., air gap, pressure vacuum breakers, reduced pressure principle backflow prevention assembly, double check valve assembly).
 - (6) Water mains served by the Town but not maintained by the Town should be considered cross connections, with degree of hazard to be determined by the Town. Degree of protection shall be based upon the degree of hazard, as determined by the Town.

- (7) In the event that a Town cross connection control inspector does not have sufficient access to every portion of a private water system (e.g., classified research and development facilities; federal government property) to allow a complete evaluation of the degree of hazard associated with such private water systems, an approved reduced pressure principle assembly shall be required as a minimum of protection.
- (b) No person shall fill special use tanks or tankers containing pesticides, fertilizers, other toxic chemicals or their residues from the public water system except at a location equipped with an air gap or an approved reduced pressure principle backflow prevention assembly properly installed on the public water supply.

Sec. 1-7. Installation of assemblies.

- (a) All backflow prevention assemblies shall be installed in accordance with the specifications furnished by the Town and/or the manufacturer's installation instructions and/or in the latest edition of the state building code, whichever is most restrictive.
- (b) All new construction plans and specifications, when required by the state building code and DEQ, shall be made available to the Town for review and approval, and to determine the degree of hazard.
- (c) All backflow devices shall have a concrete base or a approved pad per Public Works Director discretion.
- (d) Ownership, testing, and maintenance of the assembly shall be the responsibility of the customer.
- (e) All double check valve assemblies must be installed in accordance with detailed specifications provided by the Town. Double check valve assemblies may be installed in a vertical position provided they have been specifically approved by the manufacture and with prior approval from the Town, provided the flow of water is in an upward direction.
- (f) Reduced pressure principle assemblies must be installed in a horizontal position and in a location in which no portion of the assembly can become submerged in any substance under any circumstances. Pit and/or below grade installations are prohibited.
- (g) The installation of a backflow prevention assembly which is not approved must be replaced with an approved backflow prevention assembly.
- (h) The installer is responsible to make sure a backflow prevention assembly is working properly upon installation and is required to furnish the following information to the Town utilities department within 15 days after a reduced pressure principle backflow preventer (RP), double check valve assembly (DCVA), pressure vacuum breaker (PVB), double check detector assembly (DCDA), or reduced pressure principle detector assembly (RPDA) is installed:

- (1) Service address where assembly is located.
 - (2) Owner and address, if different from service address.
 - (3) Description of assembly's location.
 - (4) Date of installation.
 - (5) Installer, include name, plumbing company represented, plumber's license number, and project permit number.
 - (6) Type of assembly, size of assembly.
 - (7) Manufacturer, model number, serial number.
 - (8) Test results/report.
- (h) When it is not possible to interrupt water service, provisions shall be made for a parallel installation of backflow prevention assemblies. The Town will not accept an unprotected bypass around a backflow preventer when the assembly is in need of testing, repair or replacement.
- (i) The consumer shall, upon notification, install the appropriate containment assembly not to exceed the following time frame:
 Health hazard . . . 60 days
 Non-health hazard . . . 90 days
- (j) Following installation, all reduced pressure principle backflow preventers (RP), double check valve assemblies (DCVA), pressure vacuum breakers (PVB), double check detector assemblies (DCDA), or reduced pressure principle detector assemblies (RPDA) are required to be tested by a certified backflow prevention assembly tester within ten days.

Sec. 1-8. Testing and repair of assemblies

- (a) Testing of backflow prevention assemblies shall be made by a certified backflow prevention assembly tester at the customer's expense. A list of certified backflow prevention assembly testers can be provided by the Town. Such tests are to be conducted upon **installation** and **annually** thereafter. A record of all testing and repairs is to be retained by the customer. Copies of the records must be provided to the Town within ten business days after the completion of any testing and/or repair work.
- (b) Any time that repairs to backflow prevention assemblies are deemed necessary, whether through annual or required testing or routine inspection by the owner or by the Town, these repairs must be completed within a specified time in accordance with the degree of hazard. In no case shall this time period exceed:
- (1) Health hazard facilities . . . 14 days
 - (2) Non-health hazard facilities . . . 21 days

- (c) All backflow prevention assemblies with test cocks are required to be tested annually or at a frequency established by Town regulations. Testing requires a water shutdown usually lasting five (5) to twenty (20) minutes. For facilities that require an uninterrupted supply of water, and when it is not possible to provide water service from two separate meters, provisions shall be made for a parallel installation of backflow prevention assemblies.
- (d) All certified backflow prevention assembly testers must obtain and employ backflow prevention assembly test equipment which has been evaluated and/or approved by the Town. All test equipment shall be checked for accuracy annually, at a minimum, calibrated, if necessary, and certified to the Town as to such accuracy/calibration, employing a calibration method acceptable to the Town (see subsection 1-3(e)).
- (e) It shall be unlawful for any customer or certified tester to submit any record to the Town which is false or incomplete in any material respect. It shall be unlawful for any customer or certified tester to fail to submit to the Town any record which is required by this Ordinance. Such violations may result in any of the enforcement actions outlined in section 1-12.

Sec. 1-9. Facilities requiring protection

- (a) Approved backflow prevention assemblies shall be installed on the service line to any premises that the Town has identified as having a potential for backflow.
- (b) The following types of facilities or services have been identified by the Town as having a potential for backflow of nonpotable water into the public water supply system. Therefore, an approved backflow prevention assembly will be required on all such services according to the degree of hazard present. Other types of facilities or services not listed below may also be required to install approved backflow prevention assemblies if determined necessary by the Town. As a minimum requirement, all commercial services will be required to install a double check valve assembly, unless otherwise listed in this subsection.

DCVA = Double check valve assembly
 RP = Reduced pressure principle assembly
 DCDA = Double check detector assembly
 RPDA = Reduced pressure detector assembly
 =
 AG Air gap
 PVB = Pressure vacuum breaker

- (1) Aircraft and missile plants: RP
- (2) Automotive services stations, dealerships, etc.
 - a. No health hazard: DCVA
 - b. Health hazard: RP

- (3) Automotive plants: RP
- (4) Auxiliary water systems:
 - a. Approved public/private water supply: DCVA
 - b. Unapproved public/private water supply: AG
 - c. Used water and industrial fluids: RP
- (5) Bakeries:
 - a. No health hazard: DCVA
 - b. Health hazard: RP
- (6) Beauty shops/barber shops:
 - a. No health hazard: DCVA
 - b. Health hazard: RP
- (7) Beverage bottling plants: RP
- (8) Breweries: RP
- (9) Buildings--Hotels, apartment houses, public and private buildings, or other structures having unprotected cross connections.
 - a. (Under five stories) no health hazard: DCVA
 - b. (Under five stories) health hazard: RP
 - c. (Over five stories) all: RP
- (10) Canneries, packing houses, and rendering plants: RP
- (11) Chemical plants--Manufacturing, processing, compounding or treatment: RP
- (12) Chemically contaminated water systems: RP
- (13) Commercial car-wash facilities: RP
- (14) Commercial greenhouses: RP
- (15) Commercial sales establishments (department stores, malls, etc.)
 - a. No health hazard: DCVA
 - b. Health hazard: RP
- (16) Concrete/asphalt plants: RP
- (17) Dairies and cold storage plants: RP
- (18) Dye works: RP

- (19) Film laboratories: RP
- (20) Fire systems:
 - a. Systems three-fourths inch to two inches:
 - 1. No health hazard: DCVA
 - 2. Health hazard: (booster pumps, foam, antifreeze solution, etc.): RP
 - b. Systems 2 1/2 inches to ten inches or larger:
 - 1. No health hazard: DCDA
 - 2. Health hazard (booster pumps, foam, antifreeze solution, etc.): RPDA
- (21) Hospitals, medical buildings, sanitariums, morgues, mortuaries, autopsy facilities, nursing and convalescent homes, medical clinics, and veterinary hospitals: RP
- (22) Industrial facilities:
 - a. No health hazard: DCVA
 - b. Health hazard: RP
- (23) Laundries:
 - a. No health hazard: DCVA
 - b. Health hazard: (i.e., dry cleaners): RP
- (24) Lawn irrigation systems (split taps): PVB, RP
- (25) Metal manufacturing, cleaning, processing, and fabricating plants: RP
- (26) Mobile home parks:
 - a. No health hazard: DCVA
 - b. Health hazard: RP
- (27) Oil and gas production, storage or transmission properties: RP
- (28) Paper and paper products plants: RP
- (29) Pest control (exterminating and fumigating): RP
- (30) Plating plants: RP
- (31) Power plants: RP
- (32) Radioactive materials or substances plants or facilities handling: RP
- (33) Restaurants:

- a. No health hazard: DCVA
- b. Health hazard: RP

(34) Restricted, classified, or other closed facilities: RP

(35) Rubber plants (natural or synthetic): RP

(36) Sand and gravel plants: RP

(37) Schools and colleges: RP

(38) Sewage and storm drain facilities: RP

(39) Swimming pools: RP

(40) Waterfront facilities and industries: RP

(c) All assemblies and installations shall be subject to inspection and approval by the Town.

Sec. 1-10. Connections with unapproved sources of supply

(a) No person shall connect or cause to be connected any supply of water not approved by DEQ to the water system supplied by the Town. Any such connections allowed by the Town must be in conformance with the backflow prevention requirements of this Ordinance.

(b) In the event of contamination or pollution of a public or consumer potable water system, the consumer shall notify the Town immediately in order that appropriate measures may be taken to overcome and eliminate the contamination or pollution.

Sec. 1-11. Fire protection systems

(a) All connections for fire protection systems connected with the public water system, two inches and smaller, shall be protected with an approved double check valve assembly as a minimum requirement. All fire systems using toxic additives or booster pumps shall be protected by an approved reduced pressure principle assembly at the main service connection.

(b) All connections for fire protection systems connected with the public water system greater than two inches shall be protected with an approved double check detector assembly as a minimum requirement. All fire protection systems using toxic or hazardous additives or booster pumps shall be protected by an approved reduced pressure principle detector assembly at the main service connection.

- (c) All existing backflow prevention assemblies 2 1/2 inches and larger installed on fire protection systems that were initially approved by the County shall be allowed to remain on the premises, as long as they are being properly maintained, tested, and repaired as required by this Ordinance. If, however, the existing assembly must be replaced once it can no longer be repaired, or in the event of proven water theft through an unmetered source, the consumer shall be required to install an approved double check detector assembly or reduced pressure principle detector assembly as required by subsection 1-9(20)b.

Sec. 1-12. Enforcement.

- (a) The owner, manager, supervisor, or person in charge of any installation found not to be in compliance with the provisions of this Ordinance shall be notified in writing with regard to the corrective action to be taken. The time for compliance shall be in accordance with section 1-6.
- (b) The owner, manager, supervisor, or person in charge of any installation which remains in noncompliance after the time prescribed in the initial notification, as outlined in section 1-8, shall be considered in violation of this Ordinance, and may be issued a civil citation by the Town. The citation shall specify the nature of the violation and the provisions of this Ordinance violated, and further notify the offender that the civil penalty for such violation is as set forth in subsection (c) of this section and is to be paid to the Town within 30 days. If the penalty prescribed in this subsection is not paid within the time allowed, Town may initiate a civil action in the nature of a debt and recover the sums set forth in subsection (c) of this section plus the cost of the action.
- (c) Any offender who shall continue any violation beyond the time limit provided for in the aforementioned notification shall be subject to a civil penalty of up to \$1,000.00 per violation. Each day in which a violation of any provision of this Ordinance shall occur or continue shall constitute a separate and distinct offense.
- (d) If, in the judgment of the Town, any owner, manager, supervisor, or person in charge of any installation found to be in noncompliance with the provisions of this Ordinance neglects his responsibility to correct any violation, such neglect may result in discontinuance of water service until compliance is achieved.
- (e) Failure of a customer or certified tester to submit any record required by this Ordinance, or the submission of falsified reports/records may result in a civil penalty of up to \$1,000.00 per violation. If a certified backflow prevention assembly tester submits falsified records to the Town, the Town shall take the necessary actions to revoke certification to test backflow prevention assemblies within the potable water system for a time period not to exceed one year. The tester will then be required to complete an approved certification course to acquire a new certification. Falsification made to records/reports after becoming

recertified shall result in the permanent revocation of backflow testing certification, in addition to a civil penalty as provided for in this subsection.

- (f) Enforcement of this program shall be administered by the Public Utilities Director of the Town or his or her authorized representative.
- (g) Requests for extension of time shall be made in writing to the Public Utilities Director of the Town or his or her authorized representative. All other appeals shall be made in accordance with the following procedures:
 - (1) Adjudicatory hearings. A customer assessed a civil penalty under this section shall have the right to an adjudicatory hearing before the Town Manager or his or her designee upon making written demand, identifying the specific issues to be contended, to the Town within thirty (30) days following notice of final decision to assess a civil penalty. Unless such demand is made within the time specified in this subsection, the decision on the civil penalty assessment shall be final and binding.
 - (2) Appeal hearings. Any decision of the Town Manager made as a result of an adjudicatory hearing held under subsection (g)(1) of this section may be appealed by any party to the Town Council upon filing a written demand within ten (10) days of receipt of notice of the decision. Hearings held under this section shall be conducted in accordance with hearing procedures established by the Town Council. Failure to make written demand within the time specified in this subsection shall bar further appeal. The Town Council shall make a decision on the appeal within 90 days of the date the appeal was filed and shall transmit a written copy of its decision by registered or certified mail to all parties.
 - (3) Official record. When a final decision is issued under subsection (g)(2) of this section, the Town shall prepare an official record of the case that includes:
 - a. All notices, motions, and other like pleadings;
 - b. A copy of all documentary evidence introduced;
 - c. A certified copy of the transcript of the hearing or a narrative summary of the minutes;
 - d. A copy of the final decision of the Town.
 - (4) Judicial review. Any customer against whom a final decision of the Town Council is entered pursuant to the hearing procedure under subsection (g)(2) of this section, shall have the right to request a review by the Superior Court of Randolph County by proceeding in the nature of certiorari by filing a written petition for such judicial review within 30 days after receipt of

notice by certified mail of the order or decision, with the Clerk of the Superior Court of Randolph County, along with a copy to the Town. Within 30 days after receipt of the copy of the petition for judicial review, the Town shall transmit to the reviewing court the original or a certified copy of the official record, as outlined in subsection (g)(3) of this section.

Sec. 1-13. Severability

If any section, subsection, sentence, or clause of this Ordinance is adjudged to be unconstitutional or otherwise invalid, such adjudication shall not effect the validity of the remaining portion of this Ordinance, It is hereby declared that this Ordinance would have been passed, and each section, sentence, or clause thereof, irrespective of the fact that any one or more sections, subsections, sentences, or clauses might be adjudged to be unconstitutional, for any other reason invalid.

INTRODUCED: _____

ADOPTED: _____

**Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax**

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024 and April 22, 2024
Item:	Public Hearing McNeill Capital Rezoning Request 3477 Hinshaw Country Road from R40 to RMF Monday April 22, 2024 5:30 PM

Attachment:	Yes
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Brief Description:

There will be an advertised legislative Public Hearing for a rezoning request from McNeill Capital Rezoning 3477 Hinshaw Country Road from R40 to RMF (residential multi family) on Monday April 22, 2024. Interested parties may speak at this time.

Staff Recommendation:

Discuss and vote after the Public Hearing.

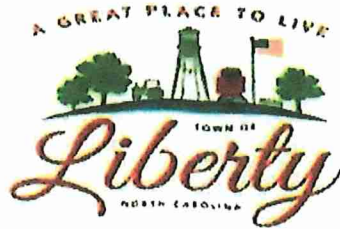


GENERAL USE REZONING REQUEST

ABSTRACT:	<p>A legislative review request by applicant McNeill Capital, LLC – Jeremy McNeill, for a rezoning request from R40 (Residential 40,000 square feet) to RMF (Residential Multi-Family) on parcel 8736318014, approximately 25.41 acres, located at 3577 Hinshaw Country Rd.</p>
BACKGROUND:	<p>McNeill Capital, LLC submitted the application for a zoning map amendment on February 15, 2024.</p> <p>Currently, the property is zoned R40. The request to rezone to Residential Multi-Family (RMF) will allow the applicant the potential for more density. The RMF zoning permits a minimum lot size of 6,000 square feet for single family dwellings and 10,000 square feet for 2-family. However, due to watershed regulations, single family detached dwellings are only permitted on a lot size of 0.5 acres minimum.</p> <p>Any subdivision of a lot to create more than 6 lots is considered a major subdivision. Major subdivisions are a legislative process that is reviewed by the Planning Board and sent to Town Council for a decision on the proposal.</p> <p>The Town Planning Board, at their regularly scheduled meeting on March 13, 2024, recommended approval to the Town Council by a vote of 6-0. No citizens had comments for the request.</p>
DISCUSSION:	<p>The Town of Liberty Land Development Plan 2024 (LDP) identifies this property within the High Density/Infill classification. That description is to identify “areas designated for higher density residential development...that could serve as a transition to soften the impact of other commercial uses” (page 54).</p> <p>The maximum amount of area permitted to be developed for single-family detached dwellings, per the watershed ordinance, is one dwelling per 0.5 acres if connected to municipal utilities (water and sewer). If the property is proposed to provide single-family attached and above (duplex/townhome, triplex, etc) then</p>



	<p>a SUP for a SNIA may be applied for. This could allow up to 70% built upon area (BUA).</p> <p>There is a water feature that runs north and south through the property. This, under the low density development option, would require a 50' buffer at a minimum. If the property is developed under a SNIA and exceeds 24% of BUA, the minimum buffer width would be 100' at a minimum. There is no floodplain noted on the property.</p> <p>The adjacent zoning to the west is Industrial, to the north and east is R40, and to the south is Industrial and R40.</p>
<p>RECOMMENDATION:</p>	<p>The Town Council shall review and discuss the request. The following statements are provided:</p> <p>APPROVE the request -OR- DENY the request. -OR- TABLE the request for further discussion to a future Town Council meeting.</p>
<p>ATTACHMENTS:</p>	<p>Attachment A includes the signed consistency statement for compliance with the Land Development Plan. Attachment B is the applicant's application. Attachment C is the Ordinance for Approval or Denial. Attachment D is the Resolution for Approval.</p>



ATTACHMENT A

Town of Liberty Land Development Plan Consistency Statement
*For McNeill Capital, LLC on behalf of Jeremy McNeill, for the property addressed 3577
Hinshaw Country Rd*

In accordance with 160D-605(a), the requested rezoning is consistent with the objectives of the Town of Liberty Land Development Plan (the "Plan"), due to its location, size, and proposed zoning district use. This area of the Plan is proposed to be developed as high density/infill. The property is located at 3577 Hinshaw Country Rd, parcel number 8736318014. Specifically, the Plan supports this rezoning primarily by the following statements:

1. This property is within the Municipal Growth Area (MGA), as described and shown on pages 56-57 of the Plan. "Suitable development sites within MGAs should be given the highest level of encouragement and incentives for short-range development".
2. The Town will participate in the cost of providing or enhancing water mains and sewer outfalls leading to properties in Municipal and Primary Growth areas..." (page 56).
3. High Density Residential/Infill is an area designated for higher density residential development and non-residential uses that could serve as a transition to soften the impact of other commercial uses.

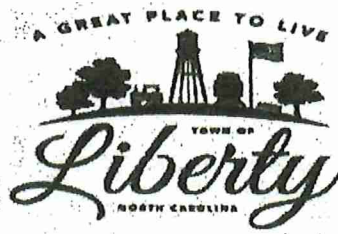
Kevin Bowman
Planning Board Chair

3/13/24
Date



Attachment C

Town of Liberty • P. O. Box 1006 • 128 South Fayetteville Street • Liberty, NC 27298
Phone (336) 622-4276 • Fax (336) 622-2665 • www.Liberty-NC.com



COPY

APPLICATION FOR GENERAL USE REZONING

Fee: \$550 due with application

APPLICANT INFORMATION:

Name McNeill Capital, LLC - Jeremy McNeill

Mailing Address PO Box 4367

City, State, Zip Asheboro, NC 27204

Phone Number 336-328-7195

Email mceilljeremy@yahoo.com

PROPERTY OWNER INFORMATION (if different):

Name McNeill Capital, LLC - Jeremy McNeill

Mailing Address PO Box 4367

City, State, Zip Asheboro, NC 27204

Phone Number 336-328-7195

Email mceilljeremy@yahoo.com

REZONING REQUEST INFORMATION

Parcel number: 8736318014 Address: 3577 Hinshaw Country Rd, Liberty NC 27298

Property acreage: 25.41 Acreage to be rezoned: 25.41

Current zoning: R-40 Requested zoning: RmF

Deed book and page: 2851 / 761 Plat book and page: 150 / 77

Subdivision (if applicable): _____, Section _____, Lot # _____

Please provide, at a minimum, a map or plat of the proposed rezoning of the property, a copy of the legal description of the property, and a completed application.

Please answer the following questions (if any questions are left unanswered, the application shall be deemed incomplete). Please use additional sheet(s) for responses to the following:

1. Is there any alleged error in this chapter which would be corrected by the proposed amendment? If so, please provide a detailed explanation of the error in the chapter and detailed reasons how the proposed amendment will correct the same;
2. The changed or changing conditions, if any, in the jurisdiction of the Town of Liberty generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare;
3. The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Development Plan; and
4. All other circumstances, factors and reasons which applicant offers in support of the proposed amendment.

PLEASE SIGN THE MOST ACCURATE SIGNATURE OPTION(S)

1. I hereby certify that I am the owner or authorized agent of said property and that the information provided is complete and the statements given are true to the best of my knowledge.

[Signature] 2-14-24
Signature Date
Jeremy E McNeill
Printed Name

2. I hereby certify that (print) _____ is an authorized agent for said property and is permitted by me to file this application.

Signature Date

Printed Name

3. I acknowledge that I am not the landowner OR authorized agent of the property for which this application is being made, but I do live within the zoned area of the Town.

Signature Date

Printed Name

STAFF USE ONLY		
Watershed: <u>WS III</u>	Floodmap #: <u>8724K</u>	Floodmap date: <u>1/2/2008</u>
Floodzone?: <u>X</u>	Received: <u>February 19</u> , 2024	Fee amount: \$ <u>550</u>
Method of payment: <u>check</u> cash card	Staff signature and title: <u>[Signature]</u> <u>Asst. Town Manager</u>	

COPY

G

Gardner Engineering, PLLC

Engineering – Land Planning – Permitting

PO Box 3048, Asheboro, NC 27204

NC Engineering Firm #: P-2804

Phone: 336-302-4949

Email: zach@gardnerengineeringpllc.com

Feb. 16th, 2024

E. Teague Ave - Rezoning Request
Application Questions & Answers

PIN Number: 8736318014

Rand Co. Parcel Id Number: 79293

Property Address: 3577 Hinshaw Country Rd, Liberty, NC 27298

Questions below are taken from the Liberty Rezoning application with responses listed in bold.

1. Is there any alleged error in this chapter which would be corrected by the proposed amendment? If so, please provide a detailed explanation of the error in the chapter and detailed reasons how the proposed amendment will correct the same.
No errors known at the time of this application.
2. The changed or changing conditions, if any, in the jurisdiction of the Town of Liberty generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare;
The proposed zoning amendment will allow the subject property to be developed with a higher number of single family homes to provide housing for the anticipated influx of families moving to the Liberty, NC area.
3. The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Development Plan; and
Per conversations with the Town of Liberty Staff the proposed rezoning and future development of single family home lots complies with the Land Development Plan.
4. All other circumstances, factors and reasons which applicant offers in support of the proposed amendment.
There is a perceived need for additional housing in Liberty, NC and the proposed rezoning will allow this need to be better met in the future.

SCHEDULE A

BEGINNING at a 60 d set at the base of a 5/8" existing iron rod in at the intersection of centerline of E. Teague Avenue (Town of Liberty Street/unknown right of way) within the 60' right of way of Hinshaw Country Rd, SR #2426, corner of Jan G. & Martha Lowe (Book 1770, Page 1021); running thence from said Beginning along a line within the right of way of Hinshaw Country Rd (SR #2426) to points not set the following courses and distances: South 04 degrees 02 minutes 00 seconds West 129.70 feet, South 03 degrees 33 minutes 56 seconds West 150.24 feet, South 03 degrees 12 minutes 06 seconds West 150.15 feet, South 03 degrees 04 minutes 24 seconds West 150.03 feet, South 03 degrees 04 minutes 24 seconds West 149.95 feet, and South 03 degrees 12 minutes 29 seconds West 149.96 feet to a point not set in the western right of way line of Hinshaw Country Rd (SR #2426); thence continuing along the western right of way line of Hinshaw Country Rd (SR #2426) to points not set the following courses and distances: South 03 degrees 14 minutes 41 seconds West 149.87 feet, South 03 degrees 40 minutes 25 seconds West 149.85 feet and South 03 degrees 42 minutes 43 seconds West 150.01 feet to 60 d set at base of 1" existing iron pipe, northeast corner of Kenneth H. Kivett (Book 1108, Page 841); thence along the northern line of Kenneth H. Kivett North 86 degrees 15 minutes 49 seconds West 407.62 feet to a 3/4" existing iron pipe down 12", common corner of Kenneth H. Kivett and James T. Ellis, IV (Book 1753, Page 779); thence along the northern line of James T. Ellis, IV, North 85 degrees 28 minutes 20 seconds West 453.15 feet to a 3/4" existing iron pipe down 2"; thence continuing along line of James T. Ellis, IV North 01 degree 23 minutes 20 seconds East 38.95 feet to an existing iron rod 0.67" east of line as shown on Moore Land Surveyors, Job No. 3073, common corner of James T. Ellis, IV, and MBR Associates (Book 1894, Page 2455); thence along line of MBR Associates North 01 degree 23 minutes 20 seconds East 753.34 feet to a 1" existing iron pipe down 2" and North 01 degree 24 minutes 44 seconds East 414.83 feet to an existing 80 d spike down 8" within the right of way of E. Teague Avenue, also being in the line of James F. Lowe (Book 1975, Page 832); thence along the centerline of E. Teague Avenue and James F. Lowe in part and Jan G. & Martha P. Lowe in part, North 86 degrees 19 minutes 37 seconds East 909.87 feet to the point and place of Beginning, containing 25.722 acres, more or less, and being shown on plat entitled "Survey for Greg Brittenham" by Survey Carolina, PLLC, dated January 5, 2017, and being recorded in Plat Book 150, page 77, in the Office of the Register of Deeds of Randolph County, North Carolina.



Attachment C

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF LIBERTY
McNeill Capital, LLC, property addressed 3577 Hinshaw Country Rd

WHEREAS, the Town of Liberty Town Council has considered the request to rezone approximately 25.41 acres, being all of parcel 8736318014, located at 3577 Hinshaw Country Rd, Liberty, NC 27298, from 40 (Residential 40,000 square feet) to RMF (residential multifamily) to develop the site as needed in accordance with the Town of Liberty Ordinances to account for future growth of the Town, and finds that the amendment is consistent with the Land Development Plan as described in the Consistency Statement Resolution; and

WHEREAS, the Council finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for the rezoning; and

WHEREAS, the Council finds the rezoning request to meet the standards of the zoning ordinance and the Land Development Plan; and

BE IT ORDAINED, by the Town Council of the Town of Liberty as follows:

1. The application to rezone all of the property described as Parcel No. 8736318014, and being approximately 25.41 acres as depicted in Attachment "A", located at 3577 Hinshaw Country Rd, from R40 to RMF, is approved and the zoning map is amended accordingly.
2. This ordinance shall become effective upon its adoption.

Adopted this 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty



**AN ORDINANCE DENYING THE ZONING MAP AMENDMENT OF THE TOWN OF
LIBERTY**

McNeill Capital, LLC, property addressed 3577 Hinshaw Country Rd

WHEREAS, the Town of Liberty Town Council has considered the request to rezone approximately 25.41 acres, being all of parcel 8736318014, located at 3577 Hinshaw Country Rd, Liberty, NC 27298, from 40 (Residential 40,000 square feet) to RMF (residential multifamily) to develop the site as needed in accordance with the Town of Liberty Ordinances to account for future growth of the Town, and finds that the amendment is inconsistent with the Land Development Plan as described in the Consistency Statement Resolution; and

WHEREAS, the Council finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be unsuitable for the property proposed for the rezoning; and

WHEREAS, the Council finds the rezoning request to not meet the standards of the zoning ordinance and the Land Development Plan; and

BE IT ORDAINED, by the Town Council of the Town of Liberty as follows:

3. The application to rezone all of the property described as Parcel No. 8736318014, and being approximately 25.41 acres as depicted in Attachment "A", located at 3577 Hinshaw Country Rd, from R40 to RMF, is denied.
4. This ordinance shall become effective upon its adoption.

Adopted this 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty



Attachment D

**RESOLUTION OF THE TOWN OF LIBERTY TOWN COUNCIL
APPROVING A CONSISTENCY STATEMENT AND STATEMENT OF
REASONABLENESS FOR THE APPROVAL OF**

McNeill Capital, LLC, property addressed 3577 Hinshaw Country Rd

WHEREAS, the Town of Liberty Town Council has received the application to rezone Parcel 8736318014 (the “Amendment”) and finds that the same is consistent with the Town of Liberty Land Development Plan; and

WHEREAS, in addition, the Town of Liberty Town Council considers the Amendment to be reasonable and in the public interest because the rezoning to Residential Multifamily is consistent with the Land Development Plan by supporting residential growth.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Liberty Town Council that, for the reasons set forth above, the Amendment and presented documentation are found to be consistent with the Town of Liberty Land Development Plan and are determined to be reasonable and in the public interest.

Adopted, this the 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty

**Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax**

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024 and April 22, 2024
Item:	Public Hearing Hall Cox Legislative Review Request Industrial to R6 E Lowe Avenue Monday April 22, 2024 5:30 PM

Attachment:	Yes
-------------	-----

Brief Description:

There will be an advertised legislative Public Hearing for a rezoning request by applicant Kimberly Hall and Cheryl Cox, trustees of the property, for Industrial (I) to Residential 6,000 square feet (R6) on portions of parcels 8736113237 and 8736104815, approximately 1.96 acres, located at E Lowe Avenue on Monday April 22, 2024 5:30 PM. Interested parties will be heard at this time.

Staff Recommendation:

Discuss and vote after the Public Hearing.



GENERAL USE REZONING REQUEST

ABSTRACT:	<p>A legislative review request by applicant Kimberly Patterson Hall and Cheryl Causey Cox, trustees of the property, for a rezoning request from Industrial (I) to Residential 6,000 square feet (R6) on portions of parcels 8736113237 and 8736104815, approximately 1.96 acres, located at E Lowe Avenue.</p>
BACKGROUND:	<p>Cheryl Causey Cox submitted the application on August 31, 2023. The request was put on hold until the adoption of the Land Development Plan update, which was adopted by Town Council on February 26, 2024.</p> <p>Currently, the properties are zoned Industrial. The request to rezone to R6 will allow the 1.96 acres the possibility of placing a dwelling on this lot by right as opposed to going through a Special Use Permit process. The remainder of the property, approximately 8.38 acres, will be left as Industrial.</p>
DISCUSSION:	<p>The Town of Liberty Land Development Plan 2024 (LDP) identifies this property within the High Density/Infill classification. That description is to identify "areas designated for higher density residential development...that could serve as a transition to soften the impact of other commercial uses" (page 54).</p> <p>There are no water features or floodable area on the property.</p> <p>The adjacent zoning to the west is R12, to the north is R12 and I, east is I, and to the south is R12 and R6.</p> <p>The Town Planning Board, at their regularly scheduled meeting on March 13, 2024, recommended approval to the Town Council by a vote of 6-0. No citizens had comments for the request.</p>
RECOMMENDATION:	<p>The Town Council shall review and discuss the request. The following statements are provided:</p> <p>APPROVE the request -OR- DENY the request.</p>



	<p>-OR- TABLE the request for further discussion to a future Town Council meeting.</p>
ATTACHMENTS:	<p>Attachment A includes the signed consistency statement for compliance with the Land Development Plan. Attachment B is the applicant's application. Attachment C is the Ordinance for Approval or Denial. Attachment D is the Resolution for Approval.</p>



ATTACHMENT A

Town of Liberty Land Development Plan Consistency Statement

For Cheryl Causey Cox, Trustee, and Kimberly Patterson Hall, Trustee, for the Waldo Gordon Causey Trustee properties

In accordance with 160D-605(a), the requested rezoning is consistent with the objectives of the Town of Liberty Land Development Plan (the "Plan"), due to its location, size, and proposed zoning district use. This area of the Plan is proposed to be developed as high density/infill. The properties are located off E Lowe Ave and are identified by parcel numbers 8736113237 and 8736104815. Specifically, the Plan supports this rezoning primarily by the following statements:

1. This property is within the Municipal Growth Area (MGA), as described and shown on pages 56-57 of the Plan. "Suitable development sites within MGAs should be given the highest level of encouragement and incentives for short-range development".
2. The Town will participate in the cost of providing or enhancing water mains and sewer outfalls leading to properties in Municipal and Primary Growth areas..." (page 56).
3. High Density Residential/Infill is an area designated for higher density residential development and non-residential uses that could serve as a transition to soften the impact of other commercial uses.

Kevin Bowman
Planning Board Chair

3-13-24
Date

Randolph County, NC

Recombination Plat -





APPLICATION FOR GENERAL USE REZONING
Fee: \$550 due with application

APPLICANT INFORMATION:
 Name Kimberly Patterson Hall, Trustee
 Mailing Address 731 S. Fayetteville St.
 City, State, Zip Liberty, N.C., 27298
 Phone Number 336-508-8105
 Email Kophall@icloud.com

PROPERTY OWNER INFORMATION (if different):
 Name _____
 Mailing Address _____
 City, State, Zip _____, _____
 Phone Number _____
 Email _____

REZONING REQUEST INFORMATION
 Parcel number: 8736113737 & 8736104615 Address: Lowe Ave.
 Property acreage: 10.34 Acreage to be rezoned: 1.96
 Current zoning: Industrial Requested zoning: Residential (R6)
 Deed book and page: _____/_____/_____ Plat book and page: _____/_____/_____
 Subdivision (if applicable): _____, Section _____, Lot # _____

Please provide, at a minimum, a map or plat of the proposed rezoning of the property, a copy of the legal description of the property, and a completed application.

Please answer the following questions (if any questions are left unanswered, the application shall be deemed incomplete). Please use additional sheet(s) for responses to the following:

1. Is there any alleged error in this chapter which would be corrected by the proposed amendment? If so, please provide a detailed explanation of the error in the chapter and detailed reasons how the proposed amendment will correct the same;
2. The changed or changing conditions, if any, in the jurisdiction of the Town of Liberty generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare;
3. The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Development Plan; and
4. All other circumstances, factors and reasons which applicant offers in support of the proposed amendment.

2/26/2024

To Whom It May Concern:

The attached map shows the 1.96 acres that we wish to change the zoning from Industrial to Residential. Part of the 1.96 acres comes from parcel 8736104815 and part of the 1.96 acres comes out of parcel 8736113237. This 1.96 acres will be used by our daughter Wendy Hall Mitchell and her husband. They are planning to build a new home on this site.

Thank you,

Kimberly Patterson Hall, Trustee + Sole Beneficiary

Kimberly Patterson Hall, Trustee to the Shelly and Janice Patterson Family Trust

pd #100
OK

TOWN OF LIBERTY APPLICATION FOR ZONING MAP AMENDMENT

Applicant Cheryl Causey Cox
Applicant's Address 6410 Beulah Church Road
Liberty NC 27292
Applicant's Phone Number (336) 331-6482
A One Hundred dollar (\$100.00) filing fee is required for any amendment.

COPY

PROVIDE ANSWERS AND OR INFORMATION AS REQUIRED BELOW:

The changed or changing conditions, if any, in the jurisdiction of the Town of Liberty generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare.

Change from industrial to residential/farm to allow family to build home

The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Development Plan.

Family wishes to build personal home on land. →

All other circumstances, factors and reasons which applicant offers in support of the proposed amendment.

This property has remained in our family for many centuries and we would like for it to remain family land.

Property Owner's Name J.M. Smith Heirs Kimberly Patterson Hall, Trustee
Cheryl Causey Cox, Trustee

Title to the property was acquired _____
The Deed is recorded in Deed Book 2595/2292/391, on Page 20 74/70/67/65 = Book 2595
The Randolph Co. Parcel Identification (PIN)# _____ 84200 - Book 2292
Subdivision _____, Section _____, Lot # 021 = Book 397
Plat Book _____ Page _____

See Back →

See Back of pag #1 →

Liberty Zoning Ordinance

Exact Location of Property (Plat Reference or Street Address)

7936-11-3231 (1) 8.33 acres South Fayetteville Street & East Lane Av. Liberty NC
(2) 2.01 acres 157 East Lane Avenue Liberty NC 8.33 / 2.01

Area of Property (sq. ft or acres)

Present Zoning District Industrial Requested Zoning District residential/farm

736-10-4015

Attach a fully dimensioned map, at a scale of not more than 200 feet to the inch, showing the land which would be covered by the proposed amendment.

Attach a legal description of such land.

COPY

Attach a list of all adjoining property owners, including across any streets or roads.

The Walter Gordon Causey Trust - Cheryl Causey, Co. Trustee
Kimberly Patterson Hall & Kimberly Patterson Hall, Trustee of the SM & JW Patterson Family Trust

Applicant signature: Cheryl Causey, Co. Date: August 29 2023

Received and found complete by: [Signature] Date: 8/31/23

Durable Power of Attorney of Waldo Gordon Causey

I, Waldo Gordon Causey of 6421 Beulah Church Road, Liberty, North Carolina, am creating a durable power of attorney intended to comply with North Carolina law. I hereby revoke all powers of attorney previously granted by me as Principal and terminate all Agency relationships created by me except:

- (i) powers granted by me under any Healthcare Power of Attorney;
- (ii) powers granted by me on forms provided by financial institutions granting the right to write checks on, deposit funds to and withdraw funds from accounts to which I am a signatory; and
- (iii) powers granting access to a safe deposit box.

Article One Appointment of Agent

Section 1.01 Initial Agent

I appoint Cheryl Lynn Causey Cox to serve as my Agent.

Section 1.02 Successor Agent

If Cheryl Lynn Causey Cox resigns, dies, becomes incapacitated, is not qualified to serve, or declines or otherwise fails to serve, I appoint Donald Alvin Cox, Jr. to serve as my successor Agent.

Section 1.03 Self-Dealing

My agent may engage in acts of self-dealing, even if state law restricts acts of self-dealing. Unless expressly prohibited by another provision of this Durable Power of Attorney, my Agent may enter into transactions on my behalf in which my Agent is personally interested, so long as the terms of such transaction are fair to me. For example, my Agent may purchase property from me at its fair market value without court approval.

Section 1.04 Default of Designation

If nobody is serving as my Agent under this Durable Power of Attorney, Cheryl Lynn Causey Cox may appoint a successor Agent by written instrument acknowledged before a notary public and attached to this Durable Power of Attorney.

and principal from this trust in my absolute discretion. While I am living,
I am the only beneficiary of trust income or principal.

Section 1.5 Family Information

I am unmarried, and I have two children: Cheryl Causey Cox and Shawn Gordon Causey. All references in this agreement to "my children" are references to these children. References to "my descendants" are to my children and their descendants. References to "my grandchildren" are only to Donald Alvin Cox, Jr. and William Vaden Causey to the exclusion of my great-grandchildren or any future-born or future-adopted grandchildren of mine.

**Article 2
Trustee Succession Provisions**

Section 2.1 Resignation of a Trustee

A Trustee may resign by giving written notice to me. If I am deceased, a resigning Trustee will give written notice to the income beneficiaries of the trust and to any other Trustee then serving.

Section 2.2 Trustee Succession

If I cease to act as Trustee for any reason, I appoint Cheryl Causey Cox, followed by Donald Alvin Cox, followed by Donald Alvin Cox, Jr. to serve successively, in that order, as my successor Trustee.

Section 2.3 Removal and Replacement of Trustees

(a) Removal and Replacement

I may remove any Trustee, with or without cause, and I may appoint an individual or corporate successor Trustee that simultaneously commences service as Trustee.

(b) Default of Designation and Appointment of Trustee

If the office of Trustee of a trust created under this agreement is vacant and no designated Trustee is able and willing to act, I must appoint an individual or corporate successor Trustee. If I am incapacitated or deceased, a vacancy in the office of Trustee shall be filled by the following persons in the order named: 1) Cheryl Causey Cox, 2) Donald Alvin Cox, 3) Donald Alvin Cox, Jr., 4) a majority of adult income beneficiaries, 5) a court of law if such vacancy persists for more than thirty days.

COPY

BK 2728 PG 7 (2)

This document presented and filed:
11/16/2020 12:33:28 PM

DEED
Fee \$28.00 Excise Tax: \$0.00



Randolph County North Carolina
Krista M. Lowe, Register of Deeds

COPY

NORTH CAROLINA GENERAL WARRANTY DEED

Parcel Identifier 8736-11-3237 & 8736-10-4815

Excise Tax \$0.00

Prepared, without title examination, by Andrew M. Brower, Attorney with Brower Law, PLLC (919) 946-0856
After recording, mail to Brower Law, PLLC at 4932 Tower Road Unit C, Greensboro, N.C. 27410

Brief description for the Index

Two Parcels

THIS DEED made this 11th day of November, 2020 by and between

GRANTOR

GRANTEE

Waldo Gordon Causey
Widower

Waldo Gordon Causey, Trustee of
The Waldo Gordon Causey Trust,
dated September 9, 2016

6421 Beulah Church Road
Liberty, North Carolina 27298

6421 Beulah Church Road
Liberty, North Carolina 27298

WITNESSETH, that Grantor, for love and affection and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee, Grantor's fifty-percent (50%) undivided interest in all those certain lots or parcels of land situated in Liberty Township, Randolph County, North Carolina, and more particularly below.

PARCEL 1: 8736-11-3237

Consisting of 8.33 acres, more or less, located just off South Fayetteville Street and East Lowe Avenue, Liberty, N.C. 27298, acquired from S M Smith. Being the same property described in the deeds recorded at Book 2595, Page 76, Book 2595, Page 70, Page 2595, Page 67, Book 2595, Page 65, Book 2292, Page 842, and Book 397, Page 621, Randolph County Registry.

PARCEL 2: 8736-10-4815

Consisting of 2.01 acres, more or less, located at 757 East Lowe Avenue, Liberty, N.C. 27298, acquired from S M Smith; said parcel being the same property described in the deeds recorded at Book 2595, Page 76, Book 2595, Page 70, Page 2595, Page 67, Book 2595, Page 65, Book 2292, Page 842, and Book 397, page 621, Randolph County Registry.

The other fifty-percent undivided interest in the property described herein is owned in various interests among Kimberly Patterson Hall and Kimberly Patterson Hall, Trustee of The S.M. and J.W. Patterson Family Trust.

THIS TRANSFER DOES NOT INCLUDE THE PRIMARY RESIDENCE OF GRANTOR.

TO HAVE AND TO HOLD unto Grantee, their ^{heirs and assigns} heirs and assigns in fee forever the aforesaid lots or parcels of land and all of their privileges and appurtenances.

COVENANTS AND WARRANTY: Grantor covenants with Grantee that they are seized of the property interest described herein; that they have the right to convey the same in fee; and that they will warrant and defend title against the lawful claims of all persons whomsoever.

This conveyance is made subject to easements, rights of way and restrictions of record and to the current year's ad valorem taxes.

IN WITNESS WHEREOF, Grantor has hereunto set their hand and seal this the 11th day of November, 2020.

Waldo Gordon Causey (Seal)
Waldo Gordon Causey

COPY

STATE OF NORTH CAROLINA, RANDOLPH COUNTY

I, Andrew Brower, a Notary Public in and for said County and State, do hereby certify that Waldo Gordon Causey personally appeared before me this day and, first being duly sworn, acknowledged the execution of the foregoing deed.

Witness my hand and official seal this 11th day of November, 2020.

Andrew Brower N.P.
Andrew Brower

My commission expires: January 13, 2025.
Seal - Stamp

Andrew Brower
Notary Public
State of North Carolina
Randolph County
My Commission Expires 1/13/2025



Attachment C

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF LIBERTY
Cheryl Causey Cox, Trustee, and Kimberly Patterson Hall, Trustee, for the Waldo Gordon
Causey Trustee properties

WHEREAS, the Town of Liberty Town Council has considered the request to rezone approximately 1.96 acres, being portions of parcels 8736113237 and 8736104815, located off E Lowe Ave, Liberty, NC 27298, from I (Industrial) to R6 (residential 6,000 square feet) to develop the site as needed in accordance with the Town of Liberty Ordinances to account for future growth of the Town, and finds that the amendment is consistent with the Land Development Plan as described in the Consistency Statement Resolution; and

WHEREAS, the Council finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for the rezoning; and

WHEREAS, the Council finds the rezoning request to meet the standards of the zoning ordinance and the Land Development Plan; and

BE IT ORDAINED, by the Town Council of the Town of Liberty as follows:

1. The application to rezone portions of the property described as Parcel No's. 8736113237 and 8736104815, and being approximately 1.96 acres as depicted in Attachment "A", located off E Lowe Ave, from I to R6, is approved and the zoning map is amended accordingly.
2. This ordinance shall become effective upon its adoption.

Adopted this 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty



**AN ORDINANCE DENYING THE ZONING MAP AMENDMENT OF THE TOWN OF
LIBERTY**

Cheryl Causey Cox, Trustee, and Kimberly Patterson Hall, Trustee, for the Waldo Gordon
Causey Trustee properties

WHEREAS, the Town of Liberty Town Council has considered the request to rezone approximately 1.96 acres, being portions of parcels 8736113237 and 8736104815, located off E Lowe Ave, Liberty, NC 27298, from I (Industrial) to R6 (residential 6,000 square feet) to develop the site as needed in accordance with the Town of Liberty Ordinances to account for future growth of the Town, and finds that the amendment is inconsistent with the Land Development Plan as described in the Consistency Statement Resolution; and

WHEREAS, the Council finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be unsuitable for the property proposed for the rezoning; and

WHEREAS, the Council finds the rezoning request to not meet the standards of the zoning ordinance and the Land Development Plan; and

BE IT ORDAINED, by the Town Council of the Town of Liberty as follows:

3. The application to rezone portions of the property described as Parcel No's. 8736113237 and 8736104815, and being approximately 1.96 acres as depicted in Attachment "A", located off E Lowe Ave, from I to R6, is denied.
4. This ordinance shall become effective upon its adoption.

Adopted this 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty



Attachment D

RESOLUTION OF THE TOWN OF LIBERTY TOWN COUNCIL

**APPROVING A CONSISTENCY STATEMENT AND STATEMENT OF
REASONABLENESS FOR THE APPROVAL OF**

Cheryl Causey Cox, Trustee, and Kimberly Patterson Hall, Trustee, for the Waldo Gordon
Causey Trustee properties

WHEREAS, the Town of Liberty Town Council has received the application to rezone
Parcels 8736113237 and 8736104815 (the "Amendment") and finds that the same is
consistent with the Town of Liberty Land Development Plan; and

WHEREAS, in addition, the Town of Liberty Town Council considers the Amendment
to be reasonable and in the public interest because the rezoning to Residential 6,000 square feet
is consistent with the Land Development Plan by supporting residential growth.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Liberty Town Council
that, for the reasons set forth above, the Amendment and presented documentation are found to
be consistent with the Town of Liberty Land Development Plan and are determined to be
reasonable and in the public interest.

Adopted, this the 22nd day of April, 2024

Filmore York, Mayor
Town of Liberty

ATTEST:

Jessica Brown, Clerk to the Council
Town of Liberty

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024 and April 22, 2024
Item:	Duke Easement Request

Attachment:	Yes
-------------	-----

Brief Description:

Around April 1, 2024, Duke Energy Progress, LLC, submitted a request for an easement across Town property on parcel 872699638 for underground utilities (power) to support parcel 8726995502, owned by Russell Lineberry.

Staff Recommendation:

Discuss.



April 10, 2024

Cover Letter for Duke Easement Request

Town Council,

On or around April 1, 2024, Duke Energy Progress, LLC submitted a request for an easement across Town property on parcel 8726993638 for underground utilities (power) to support parcel 8726995502, owned by Russell Lineberry.

The current use of the Town property houses a well. There is no above ground power lines on N Staley St., and this is the only property that will front N Staley St.

Town staff and legal have discussed what is requested. Concerns raised were that there is no easement plat submitted, and the language in the proposed easement agreement is vague. This does not provide enough information on the exact location and right-of-way for the requested underground power easement. This is a vacant lot and the landowner was approved through Town zoning for a dwelling in 2022 (attached).

Please direct further questions to William Flowe Jr., Town Attorney, and/or Janie Phelps, Assistant Town Manager.



Joseph Walsh <jwalsh@townoflibertync.org>

DUKE ENERGY//259 W BROOKWOOD AVE

1 message

Walker, Ashley <Ashley.Walker@duke-energy.com>
To: "jwalsh@townoflibertync.org" <jwalsh@townoflibertync.org>

Mon, Apr 1, 2024 at 1:49 PM

Good afternoon,

My name is Ashley. I am a Land Agent for Duke Energy. We are extending a new underground primary line from pole E569AF to a new home on your neighbors' property. Please see the attached row map along with the needed easement document.

Attached is the easement document that needs to be executed for the above referenced property.

State Statutes govern certain standards that must be met in order to record legal documents at the various Register of Deeds offices. Please use the guidelines below when signing and notarizing the easement document(s). This will expedite the handling process and ensure it meets the standard recording requirements for each county in North Carolina.

- Print easement on 8 ½ x 11 paper. Do NOT print double sided.
- Easement must be signed by all parties as listed on the easement document(s).
- Easement must be signed and sealed before a notary.
- Name(s) should be signed on the signature line(s) and listed in the notary section exactly as they appear in the beginning of the easement document(s).
- Name(s) should be legible and signed in blue or black ink.
- Notary stamp must be legible and stamped over the "watermark" area on the easement.
- Signatures, notary stamps, etc. which extend into the top margin or the ½" margins on each side of the document will be rejected by the Register of Deeds offices. Please ensure margins are kept clear of all writing or stamps.

Please do not alter the easement document. Any changes, additions, or deletions to the language will render the easement null and void.

Please email a PDF to me Ashley.Walker@duke-energy.com AND send the signed original easement to me at the address below.

Duke Energy Progress, LLC

Attn: Ashley Walker

331 Birch Ave

Spring Lake, NC 28390

Duke Energy will schedule work once all necessary easements are received. Thank you in advance for your cooperation.

If you have any questions, feel free to contact me at (910)849-9025.

Thank you.

Ashley Walker

Agent

Land Services Distribution Revenue

c: 910-849-9025

www.Ashley.Walker@duke-energy.com

www.awalker@orcolan.com



2 attachments



615NStaleyStRowMap.png
585K



TOWN-NEW EASEMENT-8726993638.pdf
163K



REID	77296	OWNER ADDRESS2	
PIN	8726993638	OWNER CITY	LIBERTY
TAXED ACREAGE	0.91	OWNER STATE	NC
PROPERTY DESCRIPTION	BROOKWOOD,SMITH	OWNER ZIP	27298

Basemap Gallery Search Map Themes Select Info Web Maps Print

8726998679

WO# 52989272
 615 N STALEY ST LIBERTY
 DESIGNER: WILL SIMPSON 910-703-2706
 WILLIAM.SIMPSON@DUKE-ENERGY.COM

PARCEL: 8726993638
 OWNER: TOWN OF LIBERTY
 CONTACT: JOE WALSH 336-264-3991
 JWALSH@TOWNOFLIBERTYNC.ORG

PARCEL: 8726993522
 OWNER: WILLIAM RODRIGUEZ

PARCEL: 8726995502
 CONTACT: RUSSELL LINEBERRY 4336-669-6910
 r.lineberry1965@yahoo.com

ROW NEEDS: PLEASE OBTAIN ROW FROM ALL 3 PARCELS LISTED ABOVE FOR NEW UG SERVICE. PLEASE SEND EASEMENTS FOR LINEBERRY AND RODRIGUEZ PARCEL TO r.lineberry1965@yahoo.com

615 N STALEY ST

605 0 60 ft
 Powered by Esri

State of North Carolina DOT, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

XY: -79.574420, 35.863523

NEW UG SERVICE

EXISTING OH PRIMARY

E689AF

8726993638 8726994666 8726995646

628 615 8726993522 8726995502

8726992388 8726993368 8726994357 8726995347

242 603

Soth
Please see all plan

Prepared by: Duke Energy Progress, LLC
Return to: Duke Energy Progress, LLC
Attn: Ashley Walker
331 Birch Ave
Spring Lake, NC 28390

Parcel # 8726993638

EASEMENT

State of North Carolina
County of Randolph

THIS EASEMENT ("Easement") is made this ____ day of _____ 20____, from **THE TOWN OF LIBERTY**, a North Carolina municipal corporation ("**Grantor**", whether one or more), to **DUKE ENERGY PROGRESS, LLC**, a North Carolina limited liability company ("**Grantee**").

Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, "**Facilities**").

Grantor is the owner of that certain property described in that instrument recorded in **Deed Book 512, Page 122**, Randolph County Register of Deeds ("**Property**").

The Facilities shall be underground, except as needed on or above the ground to support the underground Facilities, and located in, upon, along, under, through, and across a portion of the Property within an easement area described as follows:

A strip of land twenty feet (20') in uniform width, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10') wide on all sides of the foundation of any Grantee enclosure/transformer, vault and/or manhole, (hereinafter referred to as the "Easement Area").

The rights granted herein include, but are not limited to, the following:

1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.
3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
4. Grantee shall have the right to install necessary guy wires and anchors extending beyond the boundaries of the Easement Area.
5. Grantee shall have the right to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening, or alterations.
6. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
7. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein, Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
8. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this ____ day of _____, 20____.

THE TOWN OF LIBERTY
a North Carolina municipal corporation

_____(SEAL)
FILMORE YORK, Mayor

Attest:

JESSICA BROWN, Town Clerk

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of _____ County, State of _____, certify that JESSICA BROWN personally appeared before me this day and acknowledged that he/she is Town Clerk of THE TOWN OF LIBERTY, a North Carolina corporation, and that by authority duly given and as the act of said corporation, the foregoing EASEMENT was signed in its name by its Mayor, sealed with its official seal, and attested by herself/himself as its Town Clerk.

Witness my hand and notarial seal, this ____ day of _____, 20____.

Notary Public: _____

Commission expires: _____

Town of Liberty Zoning Compliance Permit

Date 11/10/2022

Number 22 1814

Applicant	Russell Linebery 6841 Lavton Rd Liberty NC 27298																		
Owner	same Liberty NC 27298 Phone 336-669-6910																		
Contractor	same Liberty NC 27298 Phone																		
Location	<u>Staley St</u>	Pin # (s) 8726995502																	
Subdivision		Lot #																	
Census Tract	ED	BG																	
Zone R12	Flood Zone No	Within Watershed Yes																	
Lot Area Sq.ft. 16,988.00	Within Corporate Limit No																		
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Front Yd Setback:</td> <td style="width: 25%;">Min Side Yd Setback:</td> <td style="width: 25%;">Rear Yd Setback:</td> <td style="width: 25%;">Max. Height ft.</td> </tr> <tr> <td style="text-align: center;">30 feet</td> <td style="text-align: center;">20 feet each side</td> <td style="text-align: center;">10 feet</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: center;">NOTE: All property abutting a street is considered front yard for setbacks.</td> </tr> <tr> <td>Floor Area Ratio</td> <td>Max. Floor Area - SqFt</td> <td colspan="2">0.00</td> </tr> </table>				Front Yd Setback:	Min Side Yd Setback:	Rear Yd Setback:	Max. Height ft.	30 feet	20 feet each side	10 feet		NOTE: All property abutting a street is considered front yard for setbacks.				Floor Area Ratio	Max. Floor Area - SqFt	0.00	
Front Yd Setback:	Min Side Yd Setback:	Rear Yd Setback:	Max. Height ft.																
30 feet	20 feet each side	10 feet																	
NOTE: All property abutting a street is considered front yard for setbacks.																			
Floor Area Ratio	Max. Floor Area - SqFt	0.00																	
Type Constr.	Single Family	Class of Work	New																
Proposed Bldg Area-Sq ft	1300	#Structures 1	# of Units 1																
Site Plan Required	Yes	Buffer/ Screen Required	No																
Area Uncovered - Sq ft		# Parking Spaces Required																	
SE & SC Permit required		SE&SC Permit issued																	
BOA#	CUP#	SUP#																	
Additional Information																			
<u>New Single Family Home - Follow Set backs.</u> <u>Town Water and Sewer is available.</u> <u>Will be a new water and sewer connection</u>																			
<u>No building, structure, or zoning lot for which a Zoning Compliance Permit has been issued shall be used or occupied until a Certificate of Zoning Compliance has been issued, after final inspection, indicating compliance with all provisions of the Zoning Ordinance.</u>																			

Approved by _____

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024 and April 22, 2024
Item:	Budget Amendment # 22

Attachment:	Yes
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Brief Description:

This amendment is to move funds from the General Fund Appr to the Street Department for Powell Bill. (These monies are transferred from the NCCMT Powell Bill account to the Truist General Fund account.)

Staff Recommendation:

Review and approve

Meeting Date April 22, 2024

Town of Liberty Budget Amendment (FY 2023-2024 #22) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2023-2024, which was adopted on June 21, 2023, be amended as follows:

This amendment is to move funds from General Fund Appr to the Street Dept for Powell Bill. (These monies are transferred from the NCCMT Powell Bill account to the Truist General Fund Account.)

Section 1: The following revenue and expenditures in the General Fund Appr. and Street Dept line items shall be increased by the amounts indicated:

10 Fund				
General Fund	Line Item	Budget	Change	Amended Budget
General Fund Balance Appr	10-3990-000	0.00	22,197.44	22,197.44
Total Expenditures		0	22,197.44	22,197.44

10 Fund				
General Fund	Line Item	Budget	Change	Amended Budget
Powell Bill	10-5600-460	11,000	22,197.44	33,197.44
Total Revenues		11,000	22,197.44	33,197.44

Prepared By: Kathy Bond, Finance Director

Reviewed By: Scott Kidd, Town Manager

Town Manager Initials: _____

ATTEST:

Filmore York, Mayor

Date: _____

Town Clerk

Date: _____

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024 and April 22, 2024
Item:	Budget Amendment # 23

Attachment:	Yes
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Brief Description:

This amendment is to move funds from the General Fund Appr to the Library line items. Monies were received Nov 2023, March 2024 and April 2024.

Staff Recommendation:

Review and approve

Meeting Date April 22, 2024

Town of Liberty Budget Amendment (FY 2023-2024 #23) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2023-2024, which was adopted on June 21, 2023, be amended as follows:

This amendment is to move funds from General Fund Appr to the Library line items. Monies were received Nov 2023, Mar 2024 and April 2024.

Section 1: The following revenue and expenditures in the General Fund Appr. and Library Dept line items shall be increased by the amounts indicated:

10 Fund				
General Fund	Line Item	Budget	Change	Amended Budget
General Fund Balance Appr	10-3990-000	0.00	552.50	552.50
Total Expenditures		0.00	552.50	552.50

10 Fund				
General Fund	Line Item	Budget	Change	Amended Budget
Library Books	10-6300-580	508.00	507.50	1,015.50
Library Memorials	10-6300-340	0.00	20.00	20.00
Library Program	10-6300-577	270.00	25.00	295.00
Total Revenues		778.00	552.50	1,330.50

Prepared By: Kathy Bond, Finance Director

Reviewed By: Scott Kidd, Town Manager

Town Manager Initials: _____

ATTEST:

Filmore York, Mayor

Date: _____

Town Clerk

Date: _____

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024
Item:	ABC Board Update - Douglas Hardin

Attachment:	No
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Brief Description:

ABC Board Chair Douglas Hardin will give a quarterly update.

Staff Recommendation:

Review and discuss.

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024, April 22, 2024
Item:	ABC Board Chair

Attachment:	No
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Brief Description:

ABC Board Member Chris Compton is willing to serve as Chair.

Staff Recommendation:

Review and discuss.

Town of Liberty
P. O. Box 1006
239 South Fayetteville Street
Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024 and April 22, 2024
Item:	Mayoral Proclamation - National Day of Prayer - May 2, 2024

Attachment:	Yes
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Brief Description:

The Mayor is proclaiming Thursday May 2, 2024 as a "Day of Prayer."

Staff Recommendation:

Review and approve.

Proclamation In Recognition of the
NATIONAL DAY OF PRAYER

By The
TOWN OF LIBERTY

WHEREAS, The National Day of Prayer tradition predates the founding of the United States of America, evidenced by proclamation in 1775 prior to George Washington, by the Continental Congress; Congress established an annual day of prayer in 1952 with no specific date; that law was amended in 1988 designating the first Thursday in May as the National Day of Prayer; and

WHEREAS, the mission of the National Day of Prayer is to mobilize prayer in America and to encourage personal repentance and righteousness in our culture; and

WHEREAS, our people continue to be plagued with challenges that defy simple answers, and our hope lies in humbly seeking the Almighty's guidance, protection, and blessings not only on the National Day of Prayer, but throughout the year; and

WHEREAS, May 2, 2024 is the 73rd consecutive observance of the National Day of Prayer, as mandated by both houses of Congress and by our President in Public Law 100-307; and

WHEREAS, "**Lift up the word - Light up the world**" is the theme for the 2024 National Day of Prayer;

NOW, THEREFORE, I, Filmore York, Mayor of Liberty, North Carolina do hereby proclaim May 2, 2024 as a "**DAY OF PRAYER**" in Liberty, North Carolina and I invite the citizens of our Town to pray, in accordance with their own faiths and consciences, in thanksgiving for the freedoms and blessings we have received, and for God's guidance and continued protection as we meet the challenges before us.

AMEN

Filmore York
Mayor, Town of Liberty



Thursday, May 2nd, 2024

20 : 11 : 25 : 30

DAYS HRS MIN SEC

[Home](#)

2024 Theme

LIFT UP THE WORD - LIGHT UP THE WORLD

*For you are my lamp, O Lord, and my God lightens my darkness. For by You I can run against a troop, and by my God I can leap over a wall. This God—his way is perfect; the word of the Lord proves true; He is a shield for all those who take refuge in Him.
2 Samuel 22:29-31*

Town of Liberty
P. O. Box 1006
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Liberty, North Carolina 27298
(336) 622-4276 phone (336) 622-2665 fax

Agenda Item Cover Sheet

Meeting Date:	April 15, 2024
Item:	Manager's Report

Attachment:	Yes
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Brief Description:

<ul style="list-style-type: none">- Discuss dates for water meeting with County- Discuss date for day for Budget Retreat

Staff Recommendation:

Receive Report and Discuss
